

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17337-2019

Date of Decision:-20.05.2019.

Major Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.4 dated 12.01.2019, registered under Sections 363, 366-A, 120-B IPC and Sections 3 and 4 of the POCSO Act, 2012 at Police Station Harike, District Tarn Taran.

It has been submitted that allegations levelled against the son of the petitioner are that he kidnapped the minor prosecutrix. As per the FIR, there is no allegation against the petitioner that he took sister of the complainant. Name of the petitioner is added on the basis of suspicion.

The petitioner is in custody since 22.01.2019. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Major Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

May 20, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.