

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-18076-2019

Date of Decision:-30.04.2019.

Akshay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, “Cr.P.C”.) for grant of regular bail to the petitioner in case FIR No.0034 dated 06.04.2018 registered for the offences punishable under Sections 363/366-A, 376 of Indian Penal Code (for short, “IPC”) and Section 6 of Protection of Children from Sexual Offence Act, 2012 at Police Station Moohana, District Sonipat, Haryana.

Heard.

Learned State counsel conceded that material witnesses turned hostile. A bare perusal of statement of PW-8 Smt. Bunty (complainant) and PW-9 Ms. Nisha transpires that they turned hostile and failed to connect the accused with the crime. Co-accused Narender has already been granted bail

by this Court vide order dated 12.03.2019 passed in CRM-M-10388-2019.

The petitioner is in custody since 27.04.2018

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-Akshay son of Anil is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of the 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(b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

April 30, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.