

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20065-2019

Date of Decision:-08.05.2019.

Nillu @ Neelkanth

.....Petitioner

Versus

State of Haryana another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Prashant Singh Chauhan, Advocate for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Mr. Jitesh Bhardwaj, Advocate for respondent No.2.

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.102 dated 20.02.2019, registered under Sections 363, 366-A IPC at Police Station Model Town, District Rewari.

It has been submitted that in fact petitioner and the prosecutrix had earlier sought for protection to their life and liberty in CRM-M-9091-2019 which was got dismissed as withdrawn vide order dated 01.3.2019.

Learned counsel appearing on behalf of the complainant submitted that now compromise has been effected between the parties which transpires that daughter of the complainant had gone with the petitioner with her own will.

The petitioner is in custody since 28.02.2019. 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 Nillu @ Neelkanth 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 08, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.