

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21815-2019

Date of Decision:-21.05.2019.

Sunil @ Sheelu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Kiranjeet Kaur, Advocate for
Mr. Ravinder Malik (Ravi), Advocate for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

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.694 dated 25.10.2018, registered under Sections 323, 376, 452, 511 IPC at Police Station Samalkha, District Panipat.

In the FIR, the prosecutrix has alleged that the petitioner made an attempt to commit rape upon her. As per her own version, on 24.10.2018, petitioner in drunkard condition had entered in her room and laid down upon her. Petitioner untied the string of her salwar and got hold of her. She raised arlarm and her mother-in-law came there and identified the petitioner.

Learned State counsel, on instructions from ASI Vinod Kumar,

Police Station Samalkha, District Panipat, stated that statement of the prosecutrix has already been recorded.

The petitioner is in custody since 04.11.2018. 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 Sunil @ Sheelu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 21, 2019.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.