

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21399-2019

Date of Decision:-15.05.2019.

Munish Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Raj Kapoor Malik, 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 for grant of regular bail to the petitioner in case FIR No.0169 dated 19.11.2018, registered under Sections 376, 511, 323, 452, 506/34 IPC at Police Station Dhand, District Kaithal.

It has been submitted that FIR No.0167 dated 18.11.2018 under Sections 302, 34, 341, 342 IPC was registered against the son of the prosecutrix for committing murder of the cousin of the petitioner on 17.11.2018. Subsequently, the prosecutrix lodged FIR No.0169 dated 19.11.2018 in retaliation of FIR No.0167 dated 18.11.2018 for making an attempt to commit sexual assault on her.

Prosecutrix has already been examined. The petitioner is in custody since 13.02.2019. 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 Munish Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 15, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.