

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22274-2019

Date of Decision:-21.05.2019.

Bharat

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Mandeep Singh Khillan, 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.147 dated 06.12.2018, registered under Sections 201, 506, 509 IPC and Section 12 of the POCSO Act, 2012 at Police Station Women, Karnal, District Karnal.

It has been argued that it is not a case of rape. Learned State counsel, on instructions from ASI Jaswinder Kaur, Police Station Women, Karnal conceded this fact and it was submitted that it was a case with regard to offence only under Section 12 of the POCSO Act, 2012 along with Sections 201, 506 and 509 IPC.

The petitioner is in custody since 08.12.2018. 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 Bharat 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.