

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-24067-2019

Date of Decision:-29.05.2019.

Bobby

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Surinder Singh Virk, Advocate for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana assisted by
Sub-Inspector Vinod Kumar, Police Station Madlaudha,
District-Panipat.

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.0030 dated 08.02.2018, registered under Sections 365 IPC (Challan presented under Section 363, 366-A IPC later on charge altered under Section 363, 366, 376 (2) (n) of IPC and Section 6 of the POCSO Act), at Police Station Madlaudha, District Panipat.

It has been submitted that earlier the petition was released on bail for the offence under Sections 363, 366-A IPC. Thereafter charge was altered by the trial Court and charge under Sections 363, 366, 376(2) (N) IPC Section 6 of the POCSO Act was framed.

Reliance has been placed on the statement of prosecutrix

recorded by the trial Court wherein she categorically stated that she

performed marriage with the petitioner and she also admitted the photographs of the marriage.

The petitioner is in custody since 10.05.2019. 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 Bobby 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 29, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.