

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-27667 of 2019 (O&M)
Date of Decision: August 26, 2019**

Sandeep

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Lajpat Sharma, Advocate
for the petitioner (s).

Mr. Munish Sharma, AAG Haryana

SURINDER GUPTA, J.(Oral)

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. 100 dated 13.07.2018 registered for the offences punishable under Sections 323, 377, 506 of Indian Penal Code (for short-IPC) and 4 of Prevention of Children from Sexual Offences Act, 2012 (for short-POCSO Act), at Police Station Rajaund, District Kaithal.

Heard.

Report of Additional Sessions Judge, Kaithal received.

Petitioner has been charge-sheeted for the offences punishable under Sections 323, 377, 506 IPC and 4 of POCSO Act, 2012. In view of statement of Dr. Dinesh Kumar PW10, the trial Court will be required to look into the attending circumstances as to whether the offences punishable

under Sections 377 IPC and 4 of POCSO Act are disclosed.

Without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Sandeep is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

August 26, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***