

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30514 of 2019
Date of Decision: 24.7.2019

Nikhil @ Mota

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Arjun Atri, Advocate
for the petitioner (s).

Mr. Vikas Chopra, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, "Cr.P.C".) for grant of regular bail to the petitioner in case FIR No.1013 dated 3.12.2017 registered for the offences punishable under Sections 323, 307, 506, 34 of Indian Penal Code (for short, "IPC") and Sections 6 & 17 of Protection of Children from Sexual Offences Act at Police Station DLF Sector 29, District Gurugram.

Heard.

The name of the petitioner is not mentioned in the FIR. Learned counsel for the petitioner has relied upon the deposition of the prosecutrix dated 1.7.2019 wherein she has categorically stated that the accused persons, which includes the petitioner, did not commit any wrong act with her.

Without expressing any opinion on merits of the case and

time, the present petition is allowed. Petitioner-Nikhil @ Mota son of Shiv Kumar Garg is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 24, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No