

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30874 of 2019
Date of Decision: 26.7.2019

Sahil Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

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

Present: Ms. Priya wife of the petitioner.

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.28 dated 9.3.2019 registered for the offences punishable under Sections 363, 366-A of Indian Penal Code (for short, “IPC”) (120-B of IPC added later on) and Section 9 & 10 of Protection of Children from Sexual Offences Act at Police Station Division No.5, District Jalandhar.

Heard.

Ms. Priya wife of the petitioner-Sahil Kumar is present in Court today. She has submitted that she had married with the petitioner-Sahil Kumar with her own free will and consent and is residing in her in-laws house being the legally wedded wife of Sahil Kumar petitioner.

She is in possession of the original affidavit, a copy of whereof has been placed on record as Annexure P-3 and also relied upon photograph

Commission Vide Annexure P-2.

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-Sahil Kumar son of Shri Sudesh Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 26, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No