

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

CRM-M-62058-2018

Date of decision: January 11, 2019

Virender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Deepak Vashishth, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Virender, in case FIR No.484 dated 04.09.2018 registered for the offences punishable under Sections 363, 366-A, 34 of the Indian Penal Code and Sections 6 and 12 of The Protection of Children from Sexual Offences Act, 2012 at Police Station Jind City, District Jind.

FIR was registered against the petitioner on the basis of statement of father of the prosecutrix that he has raped her. When prosecutrix has already been recovered, she has suffered a statement (Annexure P-3) firstly before CWC i.e. Child Welfare Committee, Jind and thereafter, she was produced before the learned magistrate, where she suffered statement under Section 164 Cr.P.C. (Annexure P-4) exonerating the petition.

After going through the statements (Annexures P-3 and P-4), this court is of the view that the petitioner is entitled to the concession of regular bail. Consequently, the present petition is hereby allowed.

Petitioner is ordered to be released on regular bail on his furnishing personal bail bond and surety bond to the satisfaction of trial Court/Duty Magistrate, concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

January 11, 2019
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No