

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

**Crl. Misc. No.M-16763 of 2015 (O&M)
Date of Decision: May 26, 2015.**

Krishan

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jitender Nara, Advocate
for the petitioner (s).

Mr. Baljinder Singh Virk, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

Heard.

Notice of motion.

On asking of the court, Mr. Baljinder Singh Virk, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

This is an application under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.22 dated 24.01.2015 registered at Police Station City Bahadurgarh, District Jhajjar for the offence punishable under Sections 395, 419, 420 and 412 of Indian Penal Code.

As per the allegations of the prosecution, the petitioner and

his co-accused stopped the vehicle of the complainant, who was carrying milch animals for delivery at Gaziabad. They demanded money from him for indulging in illicit trade of animals and thereafter took out ₹5,000/- from his pocket. The complainant on verification came to know about the identity of the petitioner and his co-accused and intimated the police.

The petitioner was arrested on 24.01.2015 and is in judicial custody since then. The challan is stated to have presented in this case.

Keeping in view the above facts and that the conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Krishan is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Duty Magistrate, Bahadurgarh 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

May 26, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE