

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

CRL. MISC. No.M-25554 OF 2015
DATE OF DECISION : 7th AUGUST, 2015

Azad @ Azzi

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Vikramjit Singh, Additional Advocate General, Haryana.

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SURINDER GUPTA, J. (ORAL)

1. This petition has been filed by the petitioner seeking regular bail in case bearing FIR No.101 dated 10.02.2015 registered for offence punishable under Section 392 read with Section 34 IPC at Police Station City Palwal, District Palwal.

2. Heard.

3. Notice of motion.

4. On asking of the court, Mr. Vikramjit Singh, Additional Advocate General, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the case has already been received and record of the case is available with him.

5. The FIR in this case has been registered on the statement of Purushotam Lal that his truck bearing No.HR-73-8691 loaded with *Saria* (iron rods) was taken away by certain persons named in the FIR on 10.02.2015, when it was parked at Alalpur Chowk, Palwal.

6. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and even in two supplementary statements recorded thereafter. The allegation against the petitioner is that Tata-407 vehicle used in the crime belongs to the petitioner. The petitioner had given his version to the police that his vehicle was given by him to one Rahul who is also not named in the FIR.

7. The petitioner was arrested on 10.03.2015 and the challan in this case has been presented. The conclusion of the trial will take considerably long time.

8. In view of the above facts, but without expressing any opinion on merits of the case this petition is allowed. Petitioner-Azad @ Azzi is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the Trial Court/Duty Magistrate, Palwal, subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (iii) He shall not leave the country without previous permission of the Court.

7th August, 2015
'raj'

(SURINDER GUPTA)
JUDGE