

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-41866 of 2014
Date of Decision : 24.04.2015

PiyushPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

R.P. Nagrath, J. (Oral)

Petitioner seeks bail under Section 439 Cr.P.C. in FIR No. 155 dated 31.03.2014 for offence under Section 392 of Indian Penal Code (IPC) and Section 25 of the Arms Act, registered at Police Station Central Faridabad, District Faridabad.

Learned counsel for the petitioner submits that the petitioner is in custody for more than 60 days after the first date fixed for evidence of the prosecution. If that be so, the petitioner may apply to the Magistrate for grant of bail under Section 437 (6) Cr.P.C.

When the matter was listed on 23.03.2015, it was adjourned for today with a direction to the trial Court to record statement of the complainant. Report from the trial Court has been received that examination of the complainant has been completed.

After hearing learned counsel for the parties and if the above contention is correct, the petitioner would be at liberty to

apply to the Magistrate in terms of Section 437 (6) Cr.P.C.

The instant petition is disposed of with liberty to the petitioner to apply to the Magistrate in terms of Section 437 (6) Cr.P.C. within two weeks and in case his case is covered by the requirement of said provision, the Magistrate obviously has to allow the said application.

In the meanwhile, the petitioner be released on bail on furnishing bail bonds to the satisfaction of trial Court. In case, such an application is not filed by the petitioner within the stipulated period before the Magistrate, the concession of bail granted by this Court shall automatically stand vacated.

Allowed in the above terms.

April 24, 2015
jk

(R.P. NAGRATH)
JUDGE