

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-11419 of 2017
Date of Decision: 25.04.2017

Deepak

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gautam Dutt, Advocate
for Mr. Anurag Arora, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No 305 dated 16.11.2015 registered for offences punishable under Sections 148, 149, 452, 449, 302, 506, 120-B, 216, 201 and 411 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Nangal Choudhary, District Mahendergarh.

Heard.

Notice of motion.

On asking of the court, Mr. Vikramjit Singh, Addl. A.G., 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.

Learned counsel for petitioner submits that case of the petitioner is similar to the case of co-accused Chaman @ Pawan, who has been allowed regular bail vide order dated 01.02.2017 passed in CRM-M-2652 of 2017. The petitioner has also been involved in this case on the

disclosure statement of co-accused and neither of the witnesses examined by the prosecution has named him or identified him.

In view of above but 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-Deepak is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

April 25, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No