

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-12408 of 2017
Date of Decision: 21.04.2017

Deepak

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Jaswal, 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. 154 dated 18.03.2016 registered for the offence punishable under Section 394 of Indian Penal Code (for short, "IPC") at Police Station Model Town, Panipat, District Panipat. (Offence punishable under Section 328 IPC was added later on.)

Heard.

Notice of motion.

On asking of the court, Mr. Vikramjit Singh, Addl. AG, 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 occurrence allegedly took place on 15.03.2016, when 840 bags of polystar plastic from the truck of complainant were stolen by two persons, whom complainant had given lift in his truck. The petitioner was arrested in this case on

09.06.2016 on the basis of disclosure statement made in another case. Neither recovery of bag has been made from the petitioner nor he has been identified by the complainant.

Learned State counsel submits that challan has been presented and charges have also been framed against the petitioner.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No