

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-15437 of 2017
Date of Decision: 16.05.2017

Gurdhayan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Munish Garg, Advocate
for Mr. Vikas Bishnoi, 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. 683 dated 23.11.2016 registered for offences punishable under Sections 379-A read with Section 34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Sadar Fatehabad, District Fatehabad.

Heard.

Notice of motion.

On asking of the court, Ms. Neelam Kashyap, 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 her.

As per case of prosecution, two persons on motorcycle snatched mobile phone and ₹5000/- from complainant-Suresh Kumar. Both the persons were not identified. The petitioner was arrested in this case on 06.12.2016 on the disclosure statement of his co-accused.

Learned State counsel submits that challan against the

petitioner has been presented in Court.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

May 16, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No