

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16201 of 2017
Date of Decision: 13.07.2017

Gaurav

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Savita Rana, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

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.142 dated 10.02.2017 registered for offences punishable under Sections 379, 379A read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station City Karnal, District Karnal.

Heard.

Learned counsel for petitioner submits that the allegation against petitioner that he had snatched the purse from the hand of mother of complainant is not substantiated by any evidence. Complainant and his mother have also appeared as witnesses and turned hostile when their statements were recorded on 01.07.2017 and 07.07.2017.

Learned State counsel admits that both the above witnesses have not supported prosecution case and turned hostile.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

July 13, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No