

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17396 of 2017 (O&M)

Date of Decision: 22.05.2017

Hardeep Bedi

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. H.S. Sandhu, 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. 369 dated 14.04.2017 registered for offences punishable under Sections 420, 467, 468, 469 and 471 of Indian Penal Code (for short, "IPC") at Police Station Civil Lines Gurgaon, District Gurgaon.

Heard.

Notice of motion.

On asking of the court, 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 her.

As per case of prosecution, petitioner is agent of M/s ARTEK Sales company situated in Slovenia. Complainant had ordered one pistol from that company. The company asked complainant to contact petitioner, who is their Indian agent and has its office in Chandigarh. Later on it was

found that instead of one, two pistols were ordered in the name of

complainant.

Learned counsel for the petitioner has referred to letter (Annexure P-2) vide which M/s ARTEK Sale company has reported to Deputy Commissioner of Customs, IGI Airport, New Delhi that second pistol was sent by mistake. Even otherwise this fact is to be ascertained as to how and who made payment of second pistol.

The matter is still under investigation. The petitioner is in judicial custody and keeping him behind bars will not serve any purpose and advance the investigation in any manner.

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-Hardeep Bedi 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 22, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No