

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-17622 of 2017
Date of Decision: 10.07.2017**

Rinku @ Bhola

....Petitioner

VERSUS

State of Haryana

....Respondent

2. CRM-M-17467 of 2017

Suresh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Naveen Kashyap, Advocate
for the petitioner in CRM-M-17622-2017.

Mr. Balraj Singh Rathee, Advocate
for the petitioner in CRM-M-17467-2017

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No. 763 dated 27.11.2016 registered for offences punishable under Sections 379-B, 435 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Model Town Panipat, District Panipat. (Offence punishable under Section 506 IPC was added later on).

Heard.

Learned counsel for petitioners submits that petitioners were not named in the FIR and they have been nominated on the disclosure statement of co-accused Sandeep @ Kalu.

Petitioner-Rinku @ Bhola in CRM-M-17622 of 2017 was arrested on 03.01.2017 and petitioner-Suresh in CRM-M-17467 of 2017 was arrested on 28.11.2016.

Learned counsel for petitioners submit that complainant has been examined and he has 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-Rinku @ Bhola in CRM-M-17622 of 2017 and petitioner-Suresh in CRM-M-17467 of 2017 are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

July 10, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No