

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-18191 of 2017 (O&M)

Date of Decision: 13.07.2017

Mohit @ Monu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sumit Sangwan, 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.282 dated 20.10.2016 registered for offences punishable under Sections 307 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Bawani Khera, District Bhiwani. (Section 27 of Arms Act was added later on).

Heard.

As per case of prosecution, complainant-Amarjit alongwith his brother Akshay was coming in his car (Skoda Fabia) bearing registration no. HR-26BB-4981, when a Swift car followed them and a shot was fired, which hit their car on left side. Thereafter, they accelerated the speed of their car and reached their village. When they were checking their vehicle near the bus stand again that Swift car came towards them but they succeeded in reaching their village.

Learned State counsel submits that pistol in this case was

recovered from co-accused, namely, Adambir. Allegation against the petitioner is that he was also in the car from which the fire was shot at the car of complainant. The petitioner was arrested in this case on 05.11.2016 and after completion of investigation challan has been presented in Court. He further submits that 3 out of 12 witnesses have been examined.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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