

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-18391 of 2017 (O&M)
Date of Decision: May 30, 2017.**

Sanjay

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Prabhjeet Singh Sullar, Advocate
for the petitioner (s).

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. 305 dated 16.11.2015 registered for the offences punishable under Sections 148, 149, 452, 449, 302, 506 read with Section 120-B of Indian Penal Code and 25 of Arms Act, 1959, at Police Station Nangal Chaudhary, District Mohindergarh.

Heard.

Notice of motion.

On asking of the court, Mr. 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 him.

Learned counsel for the petitioner submits that petitioner is not

named in the FIR. Even the complainant who has been examined by the prosecution, has not named him. At the most, his name has been introduced in the disclosure statement of co-accused, which is not per se admissible in evidence.

Learned State counsel submits that petitioner has been involved in this case on the basis of disclosure statement of co-accused and there is no other evidence against him.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerable long time, the present petition is allowed. Petitioner Sanjay is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Narnaul 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

(SURINDER GUPTA)
JUDGE

May 30, 2017
Sachin M.

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***