

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

**Crl. Misc. No.M-19010 of 2017 (O&M)
Date of Decision: August 04, 2017.**

Amit Lamba

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Tapan Yadav, Advocate
for the petitioner (s).

Mr. Ashish Yadav, Addl. A.G., 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. 533 dated 01.07.2016 registered for the offences punishable under Sections 406, 420, 506 read with Section 120-B of Indian Penal Code, at Police Station Civil Lines, Rohtak.

Heard.

Notice of motion.

Learned counsel for the petitioner submits that FIR No. 532 dated 01.07.2016 and present FIR of same date were registered at Police Station Civil Lines, Rohtak, on different complaints but with similar allegations. The petitioner has been allowed regular bail in FIR No. 532 vide order dated 09.06.2017 passed in CRM-M-21113-2017.

The petitioner was arrested in this case on 30.09.2016. After investigation, the police has presented the challan and trial is in progress. The case is triable by Magistrate and no useful purpose would be served by keeping the petitioner further in custody, particularly when he has been allowed bail in case bearing FIR No. 532 of same date with similar allegations.

Keeping in view the above facts, the present petition is allowed. Petitioner Amit Lamba is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

August 04, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

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

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