

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-1904 of 2017
Date of Decision: 27.03.2017**

KuldeepPetitioner

VERSUS

State of HaryanaRespondent

2. CRM-M-1924 of 2017

Rakesh @ LaduPetitioner

VERSUS

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Lajpat Sharma, Advocate
for the petitioners in both the petitions.

Ms. Neelam Kashyap, DAG, Haryana.

Mr. V.K. Sheoran, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.143 dated 23.08.2016 registered for offences punishable under Sections 307, 506 read with Section 34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Loharu, District Bhiwani.

Heard.

Learned counsel for petitioners submits that it is a no injury case. Allegations against petitioners is that they fired shot at the complainant, which missed. The complainant and material witnesses have already been examined. Petitioner-Kuldeep (CRM-M-1904-2017) has been

in custody since 07.09.2016 while petitioner-Rakesh @ Ladu (CRM-M-1924-2017) has been in custody since 06.09.2016.

Learned State counsel submits that out of 17 witnesses 7 have been examined. It is further submitted that both the petitioners have a number of cases against them. There are four cases against petitioner-Rakesh @ Ladu while seven cases are against petitioner-Kuldeep.

Learned counsel for petitioners submits that in all the cases except this one, petitioners are on bail.

Keeping in view the fact that material witnesses have been examined and the conclusion of trial will take considerably long time, the present petitions are allowed. Petitioners, Kuldeep and Rakesh @ Ladu 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- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

March 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No