

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19279 of 2017
Date of Decision: 21.08.2017

Salmaan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. A.K. Chahal, 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.128 dated 27.02.2017 registered for the offence punishable under Section 379-B of Indian Penal Code (for short, "IPC") at Police Station Central Faridabad, District Faridabad.

Heard.

Learned counsel for the petitioner submits that co-accused, namely, Shanu, who is named in the FIR alongwith petitioner, has been allowed regular vide order dated 20.06.2017 passed by Additional Sessions Judge-cum-Vacations Judge, Faridabad. The role of petitioner in this case is similar to the role of co-accused Shanu.

The petitioner was arrested in this case on 28.02.2017 alongwith Shanu.

Keeping in view the fact that co-accused, Shanu, has been allowed regular bail by the Court below and that conclusion of trial will take

considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Salmaan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No