

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19459 of 2017
Date of Decision: 02.06.2017

Suraj Bhan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikram Singh, Advocate
for the petitioner.

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. 152 dated 18.10.2016 registered for offences punishable under Sections 406, 420, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Kalka, District Panchkula.

Heard.

Notice of motion.

On asking of the court, Mr. Tanuj Sharma, AAG, 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.

Allegation against the petitioner is that he has cheated complainants with the assurance to arrange Government service for them.

As per case of prosecution, the petitioner was mediator of Mukesh Kumar in settling the deal with complainants.

It is submitted that the petitioner was arrested on 03.01.2017

and challan against him has been presented in Court while case against co-accused Mukesh is still under investigation.

Keeping in view the fact that challan against the petitioner has been presented and investigation against co-accused Mukesh is still pending but without expressing any opinion on merits of the case and in view of the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Suraj Bhan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

June 02, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No