

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

**CRM-M-20036 of 2017**  
**Date of Decision: 06.07.2017**

Jaibir

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

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

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**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. 260 dated 26.11.2016 registered for offences punishable under Sections 398, 401, 412 of Indian Penal Code (for short, "IPC"); 25 of the Arms Act; and 20 of Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station Bond Kalan, District Bhiwani.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, DAG, 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.

As per case of prosecution, petitioner alongwith his co-accused was arrested from near the bridge on the road leading from village Achina to village Tal. His co-accused, namely, Ashish Gulia, who was also arrested from the spot and recovery of a weapon i.e. .32 bore pistol was effected

from him, was already released on bail vide order dated 01.05.2017 passed in CRM-M-14029 of 2017. From possession of the petitioner a *koki* (stick) was recovered.

Keeping in view the fact that co-accused-Ashish Gulia has already been released on bail but without expressing any opinion on merits of the case and taking into account the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Jaibir 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

**July 06, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No