

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

**Crl. Misc. No.M-24255 of 2017 (O&M)
Date of Decision: August 01, 2017.**

Mudit Goyal

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mohd. Salim, Advocate
for the petitioner (s).

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.81 dated 01.06.2017 registered for the offences punishable under Sections 457 and 380 of Indian Penal Code(for short-IPC) Section 411 IPC added later on, at Police Station Dirba, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Ms. Rajni Gupta, Senior DAG, Punjab, 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 her.

Learned counsel for the petitioner seeks regular bail for petitioner Mudit Goyal on parity with other co-accused namely Jarnail Singh and Rajbir. He submits that recovery of 236 bags of stolen wheat was

effected from above named three accused. Jarnail Singh and Rajbir have already been allowed regular bail vide order dated 06.07.2017 passed in CRM-M-22947-2017.

Learned State counsel submits that recovery in this case was effected jointly from the petitioner and his co-accused Jarnail Singh and Rajbir. The allegation against the trio is that they have committed theft from the godown of complainant.

Keeping in view the fact that co-accused Jarnail Singh and Rajbir have already been allowed regular bail in this case but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Mudit Goyal is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(SURINDER GUPTA)
JUDGE

August 01, 2017
Sachin M.

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

Whether Reportable: **Yes/No**