

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-24599 of 2017
Date of Decision: 11.08.2017

Sajid

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kunal Dawar, 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.926 dated 07.12.2016 registered for offences punishable under Sections 147, 148, 149, 186, 332, 333, 353, 307, 506 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Sector 55, Faridabad.

Heard.

Notice of motion.

On asking of the court, Mr. Amrik Narwal, 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 allegations in the FIR, the petitioner was member of unlawful assembly, which attacked the police party and caused injuries to them, when they had gone to apprehend accused Saddam, Sahun and Mulla @ Shamsuddin. In the incident, seven police officials suffered injuries.

Learned State counsel submits that petitioner was member of

unlawful assembly, which had attacked the police party. Though, he has not been attributed any specific injury to any member of police party but his intention was also to chase and cause injuries to them.

The petitioner was arrested in this case on 14.12.2016 and police after investigation has presented the challan in Court, which is pending trial.

Keeping in view the fact that petitioner has not been attributed any injury 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-Sajid 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 11, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No