

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-25520 of 2017
Date of Decision: 03.08.2017

Mohan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Deepak Grewal, 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.193 dated 20.05.2017 registered for offences punishable under Sections 307 read with Section 34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Tauru, District Nuh.

Heard.

Learned counsel for the petitioner submits that as per prosecution, Irshad @ Thullar is main accused, who had fired at complainant. It is alleged that petitioner alongwith Sahil was present at the spot for back up support. He further submits that Irshad @ Thullar has been allowed regular bail by the trial Court vide order dated 28.07.2017. The other accused person, namely, Narinder has also been allowed bail.

Keeping in view the fact that co-accused namely, Irshad @ Thullar, who is main accused as per prosecution, has already been allowed regular bail by the trial Court 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-Mohan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 03, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No