

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26235 of 2017
Date of Decision: 21.08.2017

Amit

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sant Lal Barwala, Advocate
for the petitioner.

Mr. A.K. Chahal, 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.6 dated 13.01.2017 registered for offences punishable under Sections 147, 148, 323, 324, 307 and 341 read with Section 149 of Indian Penal Code (for short, "IPC") at Police Station Bawani Khera, District Bhiwani.

Heard.

The occurrence, as per case of prosecution, took place on 13.01.2017 in which Vijender, co-accused of the petitioner, caused knife blow on the person of complainant. The injury caused by him was declared dangerous to life. The petitioner has been attributed injury caused by iron rod on the person of cousin of complainant.

Learned counsel for the petitioner submits that four co-accused have already been allowed regular bail.

The petitioner was arrested on 10.02.2017 and is in custody since then.

Learned State counsel submits that after completion of investigation, police has presented the challan against the petitioner.

Keeping in view above facts and role of petitioner coupled with the fact 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-Amit 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No