

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2663 of 2017

Date of Decision: 01.02.2017

Naresh @ Narsi

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rakesh Kumar Sharma, 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.690 dated 25.11.2016 registered for offences punishable under Sections 398, 401, 379, 411 and 489 of Indian Penal Code (for short 'IPC') and 25 of the Arms Act, at Police Station Sohna, Gurgaon.

Heard.

Notice of motion.

On asking of the court, Ms. Harpreet Kaur, AAG, 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 her.

Learned counsel for the petitioner submits that the petitioner was arrested in this case on the allegation that he had purchased stolen vehicles from main accused, namely, Hasam @ Mulli, Naresh @ Hakla, Sunil and Irfan. The petitioner is a scrap dealer and purchases scrap from the person, who comes to him and sells the same. He was arrested on

26.11.2016.

Learned State counsel submits that the petitioner was arrested in this case on the disclosure statement of co-accused Sunil and Naresh @ Hakla and recovery of three motorcycles and three engines, which were cut in pieces, was effected from him. Challan has been presented against him by the police .

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Naresh @ Narsi 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

February 01, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No