

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-31411 of 2017
Date of Decision: 13.09.2017

Sombir

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.S. Dhaliwal, 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.240 dated 05.06.2016 registered for offences punishable under Sections 302, 307, 148 read with Sections 149 and 120-B of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Safidon, District Jind.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, 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.

Learned counsel for petitioner submits that challan has been filed against the petitioner for conspiracy to murder of Narender Rathi. The other accused, namely, Devender @ Monu and Ram Pal, who were also similarly charged, have been allowed regular bail vide orders dated

12.01.2017 and 27.02.2017 passed in CRM-M-42029-2016 and CRM-M-5472-2017, respectively.

Learned State counsel on perusal of file submits that allegations against the petitioner are also at par with allegations levelled against co-accused, Devender @ Monu and Ram Pal.

Applying the principle of parity with co-accused, namely, Devender @ Monu and Ram Pal 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-Sombir 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 13, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No