

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34506 of 2017
Date of Decision: 21.09.2017

Vikram @ Kukki

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Jaswal, 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.861 dated 27.07.2017 registered for offences punishable under Sections 120-B, 195-A and 506 of Indian Penal Code (for short, "IPC") and 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SCSCT Act'), at Police Station Panipat City, District Panipat.

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.

Learned State counsel submits that complainant has not levelled any allegation against the petitioner. However, in the disclosure statement of brother of petitioner his name has cropped up and he has been

arrested in this case on 27.07.2017 for offences punishable under Sections 195-A, 506 IPC and 3 of the SCST Act.

Allegations levelled by complainant are relating to uttering of some caste related words by petitioner-Vikram Singh @ Kukki. Petitioner is in judicial custody and his custodial interrogation is no more required for further investigation of the case.

Without expressing any opinion on merits of the case and keeping in view the fact that completion of investigation, presentation of challan and then conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Vikram @ Kukki 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No