

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-3526 of 2017

Date of Decision: 01.03.2017

Mannu @ Gollu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Samrat Malik, Advocate
for the petitioner (s).

Mr. Vikramjit Singh, Addl.A.G. 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.475 dated 12.6.2016 registered for the offences punishable under Sections 302/34 of Indian Penal Code (for short, "IPC") at Police Station Sadar, Karnal.

Heard.

Learned counsel for petitioner submits that the petitioner was not named in the FIR. He was apprehended by the police on the suspicion that he was driver of motor cycle on which the assailants namely Monnu alias Khira and Pankaj came to the house of complainant and killed her husband.

Learned State counsel has argued that petitioner was apprehended on the basis of suspicion and he has suffered disclosure statement that he was driving motor cycle to carry Pankaj and Monnu alias

by Pankaj. The petitioner was arrested on 14.6.2016. Challan against him has already been presented.

Keeping in view the fact that no specific role to kill husband of complainant has been attributed to the petitioner, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Mannu alias Gollu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

March 01, 2017
deepak

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No