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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-37859 of 2017

Date of decision: October 13, 2017

Anuj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Suveer Sheokand, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.37 dated 27.03.2017, under Sections 279/337 of Indian Penal Code, 1860 (for short 'IPC') (later on these sections deleted and Sections 307, 332, 353, 412, 420, 186, 473, 120-B, 216 IPC, Sections 25/29 of Arms Act, 1959 and Section 3 of Prevention of Damage to Public Property Act, 1984, registered at Police Station Panjikhra, District Ambala.

The petitioner is said to be a young boy. However, looking to the nature of the offence committed by him unless an affidavit of his father or any other close relative is taken on record that he would keep surveillance on the petitioner and that he will not indulge into similar or any other kind of offence in future, the petitioner, in ordinary course, would not have been released on regular bail. However, I find that the petitioner has been in custody since 10.05.2016. Learned

counsel for the petitioner, on instructions from the grand-father of the petitioner submits that grand-father of the petitioner shall file an affidavit to the above terms. Looking to the period of the petitioner in jail as under trial, I make the following order:-

ORDER

- (i) CRM-M-37859 of 2017 is allowed;
- (ii) The petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned;
- (iii) Grand-father of the petitioner shall file an affidavit with the police station concerned that he will keep surveillance on the petitioner and shall be responsible in case, petitioner commits similar or any other kind of offence in future;
- (iv) Petitioner and his grand-father together shall deposit an amount of ₹50,000/- (non-refundable) with the trial Court for being forfeited to the State of Haryana, within a period of 2 months from today;
- (v) Petitioner shall attend the police station concerned once in every week, i.e. on Sunday between 11:00 A.M. to 4:00 P.M.;
- (v) Petitioner shall surrender his passport with the trial Court;
- (vi) Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well
- (vii) In default, the trial Court shall take the petitioner in custody.

(A.B. CHAUDHARI)
JUDGE

October 13, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No