

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-37950 of 2017
Date of Decision: 25.10.2017

Gaurav @ Chuma

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. MS. Khiara, Sr. Advocate with
Mr. D.S. Randhawa, 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.458 dated 07.06.2017 registered for offences punishable under Sections 186, 307, 332, 353 read with Section 34 of Indian Penal Code (for short, “IPC”) and 25 of the Arms Act, at Police Station Sector 10, Gurugram. (Offences punishable under Sections 216 and 225 IPC were added later on).

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 co-accused, namely, Narbir @ Bhola with similar allegations has been allowed regular bail vide order dated 03.10.2017 passed in CRM-M-36254-2017 and seeks bail for the petitioner on the ground of parity.

Learned State counsel endorses the submission of learned counsel for the petitioner to the effect that allegations against the petitioner are similar to allegations levelled against co-accused Narbir @ Bhola.

Applying the principle of parity 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-Gaurav @ Chuma 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 25, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No