

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38094 of 2017 (O&M)

Date of Decision: 27.10.2017

Gurdeep @ Deepu @ Deepa @ Deepak @ Surender & anr.Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S. Dinarpur, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

CRM-34333-2017

This is application seeking rectification of name of petitioner no. 1 as Gurdeep @ Deepu @ Deepa @ Deepak @ Surender instead of Gurdeep @ Deepak son of Jagan Nath.

Learned State counsel submits that in fact the person named in the FIR is Surender and he has no objection if the application is allowed.

The instant application, which is supported by affidavit, is allowed and amended memo of parties is taken on record.

CRM-M-38094-2017

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No.70 dated 20.02.2017 registered for offences punishable under Sections 379-A, 120-B and 171 of Indian Penal Code (for short, "IPC") at Police Station Murthal, District Sonapat.

Heard.

After arguing for sometime, learned counsel for petitioners seeks permission to withdraw the instant application qua petitioner no. 1- Gurdeep @ Deepu @ Deepa @ Deepak @ Surender, at this stage.

Ordered accordingly.

Learned counsel for petitioners submits that petitioner no. 2- Sahiv Singh @ Sahab Singh is not named in the FIR.

Learned State counsel submits that petitioner no. 2-Sahiv Singh @ Sahab Singh was arrested on the disclosure statement of co-accused, namely, Santosh and Rachit Sharma and recovery of ₹7000/- (old currency notes) was effected from his possession.

Keeping in view the fact that petitioner no. 2-Sahiv Singh @ Sahab Singh is not named in the FIR and co-accused, namely, Bijender and Ravi @ Gorkha have already been allowed bail vide orders dated 05.05.2017 and 31.05.2017 passed in CRM-M-14870-2017 and 19060 of 2017, respectively but without expressing any opinion on merits of the case and the fact that conclusion of trial will take considerably long time, the present petition qua petitioner no. 2 is allowed. Petitioner no. 2-Sahiv Singh @ Sahab Singh 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 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No