

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-39910 of 2016
Date of Decision: 23.01.2017

Naresh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.N. Lohan, Advocate
for the petitioner.

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. dated 267 dated 22.06.2013, registered for the offences punishable under Sections 392, 302, 201, 120-B, 411, 412 read with Section 34 of Indian Penal Code (for short 'IPC'), at Police Station Camp Palwal, District Palwal.

Heard.

The petitioner was arrested in this case on 07.09.2016.

Learned State counsel submits that allegations against the petitioner are based on disclosure statement made by Mandeep, wherein he has stated that they hatched conspiracy with petitioner to commit crime, which is subject matter of instant FIR.

The petitioner was declared as proclaimed offender. As per copy of challan produced by learned counsel for the petitioner, no incriminating article was recovered from the petitioner even after his arrest.

Mandeep and other accused have already been acquitted by the trial Court.

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-Naresh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

January 23, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No