

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-39813 of 2017
Date of Decision: 01.12.2017

Rahul

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

SURINDER GUPTA, J.(Oral)

CRM-38586-2017

Application is allowed as prayed for and Annexure P-3 is taken on record subject to all just exceptions.

CRM-M-39813-2017

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.194 dated 06.08.2017 registered for offences punishable under Sections 379-B and 392 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Badhra, District Charkhi Dadri.

Heard.

Instant FIR was registered on the statement of Ramesh Chand son of Manohar Lal. As per allegations in the FIR, the incident took place on 05.08.2017, when three unidentified persons came to the house of complainant and at the pistol point looted jewellery and mobile phone.

Learned State counsel submits that the petitioner was arrested

in another FIR registered against him at Police Station Satnali bearing No. 131 dated 06.08.2017. During investigation, he suffered disclosure statement about his involvement in the present case and was arrested.

In the other cases bearing FIR No. 131 dated 06.08.2017, registered at Police Station Satnali, the petitioner has been released on bail vide order dated 20.09.2017. In this case, police after completion of investigation has already presented the challan in Court

Without expressing any opinion on merits of the case, but keeping in view the period of incarceration of petitioner and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Rahul 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

December 01, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No