

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-42029 of 2016
Date of Decision : 12.01.2017

Devender @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.DS. Hooda, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Surinder Gupta, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 240 dated 05.06.2016 registered for offences punishable under Sections 302, 307, 148, 149, 216 and 120-B IPC, at Police Station Safidon, District Jind.

Heard.

Learned State counsel submits that allegations against the petitioner are that he was with Anil, main conspirator, while hatching conspiracy for murder of Narender Rathi. Besides the confessional statement of the petitioner, police has also recorded the statement of other co-accused to this effect.

Admittedly, the petitioner was not present at the time of murder of Narender Rathi. The allegations against him are under Section 120-B IPC. He was arrested on 20.07.2016 and since then he is in custody. The challan has been presented by the police and the trial is in progress.

Without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Devender @ Monu is ordered to be released on regular bail on furnishing bail bond and surety bond to the

satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 12, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/Reasoned

Yes/No

Whether Reportable

Yes/No