

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-46450 of 2016 (O&M)
Date of Decision: January 31, 2017.**

Surender

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner (s).

Ms. Harpreet Kaur, A.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. 1012 dated 06.11.2016 registered for the offences punishable under Sections 409, 411 read with Section 120-B of Indian Penal Code (for short-IPC), at Police Station Jhajjar, District Jhajjar.

Heard.

Learned counsel for the petitioner submits that allegations against the petitioner are that he had received 50 bags of wheat which were taken out from the godown of State Warehouse. Recovery of 50 bags each containing 50kg of wheat grain was effected and petitioner was arrested. Thereafter the police completed the investigation and presented the challan in the trial Court, wherein petitioner has been charge-sheeted. All the

witnesses in this case are government officials and the conclusion of trial will take considerable long time.

Learned State counsel submits that the police has presented the challan against the petitioner for the offences punishable under Section 411 and 409 of IPC.

Keeping in view the facts that the investigation of this case is complete, challan has already been presented and the trial of the case will take considerable long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Surender is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

January 31, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***