

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

**Crl. Misc. No.M-48167 of 2017 (O&M)
Date of Decision: December 21, 2017.**

Vikas @ Rodia

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pranjal P. Chaudhary, Advocate for
Mr. Ram Kumar Saini, Advocate
for the petitioner (s).

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. 51 dated 03.03.2015 registered for the offences punishable under Sections 392, 506 of Indian Penal Code and 25 of Arms Act, at Police Station Adampur, District Hisar.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, D.A.G. Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned counsel for the petitioner submits that petitioner has

absented in this case on 25.01.2017. Earlier he had been regularly appearing. After his arrest on 10.05.2017 in this case, he is continuously in custody.

Keeping in view the above facts and that petitioner has suffered for his absence but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Vikas @ Rodia 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

December 21, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

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

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