

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-8180 of 2017

Date of Decision: 16.03.2017

Rajesh Kumar @ Tartaria

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mukesh Yadav, Advocate
for the petitioner.

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. 133 dated 10.09.2015 registered for offences punishable under Sections 392 and 397 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Satnali, District Mahendergarh.

Heard.

Notice of motion.

On asking of the court, Mr. Tanuj Sharma, AAG, 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 petitioner submits that co-accused namely, Vinod @ Lala and Ramesh have already been released on bail by the trial Court. Ramesh was allowed regular bail after custody of 2 months and 9 days and while Vinod @ Lala was allowed regular bail after custody of 3 months and 26 days. The petitioner was arrested on 24.11.2016 and is in

custody since then.

In view of above but 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-Rajesh Kumar @ Tartaria 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

March 16, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No