

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-10366 of 2018 (O&M)
Date of decision : 28.03.2018

Jafar Ali an another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashok Paul Batra, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.354 dated 21.10.2017, registered under Sections 457, 380 IPC at Police Station Zirakpur, District Mohali.

Learned counsel for the petitioners has contended that the investigation is complete and challan has been presented. He has further contended that only 10 mobiles and two cars have been recovered from the petitioners and that cars are not the stolen property.

Learned State counsel has conceded that the cars are not the stolen property and those are purchased with the money stolen by the petitioners.

Without expressing any opinion on merits of the case and noticing the contentions which raise debatable issue to be decided during trial, and keeping in view the fact that conclusion of trial will take

considerably long time, the present petition is allowed. Petitioner Jafar Ali and Bunty Ram are ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, SAS Nagar (Mohali), 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- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bond and surety bond and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

28.03.2018
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No