

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-12061 of 2018
Date of Decision: 25.7.2018**

Sunder

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. V.P.Sangwan, Advocate
for the petitioner (s).

Mr. Ashok Muthreja, DAG, Haryana.

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 petitioner in case FIR No.507 dated 25.8.2017 registered for the offences punishable under Sections 201, 302 of Indian Penal Code (for short, "IPC") at Police Station Bhiwani Sadar, District Bhiwani.

Heard.

Learned counsel for petitioner submits that the petitioner was not named in the FIR and he was arraigned solely on the disclosure statement of the co-accused but nothing has been recovered from him.

Trial is in progress and PW1-Darshan, PW2-Sanjay and PW7-Om Parkash had turned hostile and they failed to connect the petitioner with the crime.

The petitioner is in custody since 27.8.2017.

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. The petitioner 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 25, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No