

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-13429 of 2018
Date of Decision: 16.05.2018

Amar @ Lucky

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Inderjeet Singh , Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, 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.53 dated 04.02.2018 registered for offences punishable under Sections 148, 149, 323, 427, 452 and 506 of Indian Penal Code (for short, "IPC") at Police Station Farakpur, Yamunanagar. [Offences punishable under Sections 325 IPC and 3 (1) (r) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act were added later on].

Heard.

Learned State counsel submits that the petitioner is main accused alongwith three other co-accused, who had caused injuries on the person of complainant-Subham. The petitioner had caused him (complainant) injuries with iron pipe, which was recovered from him. After completion of investigation, the police has presented challan against him and his co-accused in which charge is yet to be framed.

The petitioner was arrested in this case on 10.02.2018. Injuries,

which were found to be grievous on the person of complainant, constitutes offence punishable under Section 325 IPC, which is bailable offence.

In view of above but without expressing any opinion on merits of the case and keeping in view the period of incarceration of petitioner and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Amar @ Lucky 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 16, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No