

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16066 of 2018
Date of Decision: 30.05.2018

Aarif

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. M.D. Khan, Advocate
for the petitioner.

Mr. Amrik Narwal, 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.113 dated 21.02.2018 registered for the offence punishable under Section 379 of Indian Penal Code (for short, "IPC") at Police Station City Bhiwani, District Bhiwani. (Offences punishable under Sections 411 and 201 IPC were added later on).

Heard.

Learned State counsel submits that during investigation it has been found that petitioner had purchased stolen wire of Telephone Department worth ₹4 lakhs and offence punishable under Section 411 IPC was added in the FIR against him.

The petitioner was arrested in this case on 18.03.2018 and is in custody since then. The matter is still under investigation. Keeping in view the above facts and that completion of investigation, presentation of challan and then conclusion of trial Court will take considerably long time but

without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Aarif 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 30, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No