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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16559-2018
Date of decision: April 27, 2018

Suraj **....Petitioner**

Versus

State of Haryana **....Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Deepkaran Dalal, Advocate
for the petitioner.

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.493 dated 01.07.2016 registered for the offences punishable under Sections 302, 201, 394, 412, 34 of Indian Penal Code (for short, "IPC") at Police Station Sector-55, Faridabad.

Heard.

Case is based upon circumstantial evidence. FIR has been registered against some unknown persons on the basis of suspicion. Name of the petitioner is not mentioned therein. However, he has been arraigned solely on the ground that one of the accused has suffered disclosure statement involving him in crime. A motorcycle has been recovered from him but the investigating agency failed to point out if said motorcycle has been used in the crime and use of said motorcycle is not mentioned in the FIR. Petitioner is in custody since 19th July, 2016.

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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 Suraj son of Bhagwan Singh is 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, concerned 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(b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

April 27, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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