

**213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-17319-2018

Date of decision: May 01, 2018

Mahipal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sangram Singh, 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.487 dated 22.06.2015 registered for the offences punishable under Sections 420, 328 of the Indian Penal Code (for short, "IPC") at Police Station City Yamunanagar, Haryana.

Heard.

It is the allegation that some unknown persons have given some stupefied substances and stolen Rs.1,54,000/- along with mobile phone. No Test Identification Parade was conducted.

Learned State counsel has submitted that only mobile phone has been recovered from the co-accused and on investigation, it was found that said mobile phone was sold by the petitioner to someone. Petitioner is in custody since 14.06.2017. He has further submitted that 41 cases are pending against the petitioner. On the other hand, learned counsel for the petitioner has relied upon the two judgments, reported as *Nanda Parida Vs. State of Orrisa*, 1984(1) Crimes 931 and *Virsa Singh Vs. State through C.B.I*, 1991 (2) RCR (Criminal) 167.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

(RAJ SHEKHAR ATTRI)
JUDGE

May 01, 2018
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No