

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17338-2018 (O&M)

Date of Decision: 2.5.2018

Narender

....Petitioner

VERSUS

State of Haryana

....Respondent

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

Present: Mr. Dishant D. Tuteja, 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 short, "Cr.P.C.") for grant of regular bail to the petitioner in case FIR No.697 dated 25.10.2016 registered for the offences punishable under Sections 148, 149, 365, 302, 201, 120-B, 404 and 34 of Indian Penal Code (for short, "IPC") at Police Station Model Town, Panipat .

Heard.

Learned counsel for the petitioner as well as learned State counsel submit that the all the witnesses have turned hostile and co-accused has been granted the benefit of bail. Learned State counsel very fairly conceded that the only evidence against the petitioner is extra judicial confession suffered before one Pardeep Kumar son of Maha Singh but said Pardeep Kumar also turned hostile and did not support the prosecution case.

The petitioner is in custody since 9.11.2016.

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-Narender son of Rameshwar is ordered to be released on regular bail subject to the conditions, if any, and on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 2, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No