

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

**CRM-M-20111 of 2018**  
**Date of Decision: 05.09.2018**

Uttam

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Vivek Khatri, 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.40 dated 14.01.2018 registered for offences punishable under Sections 186/353/307/34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Jhajjar, District Jhajjar.

Heard.

As per case of prosecution, petitioner alongwith his co-accused were apprehended when they had attacked the police party, broken the *naka* and tried to run away. When police party tried to catch them they fired and from petitioner, one country made pistol was recovered.

The petitioner was arrested in this case on 14.01.2018 and is in custody since then. Challan against him has been presented in Court.

Learned State counsel submits that one witness has been examined by the prosecution so far.

In view of above but 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-Uttam 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

**September 05, 2018**  
jk

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No