

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

(1)

**Crl. Misc. No.M-20471 of 2018 (O&M)
Date of Decision: May 22, 2018**

Rohtash

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

(2)

Crl. Misc. No.M-20842 of 2018 (O&M)

Salim Khan

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

**Present: Mr. Narinder Kajla, Advocate
for petitioner Rohtash.**

**Mr. Sandeep Kotla, Advocate
for petitioner Salim Khan.**

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.17 dated 25.01.2018 registered for the offences punishable under Sections 147, 323, 326, 458, 506 read with Section 149 of Indian Penal Code, at Police Station Agroha.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, D.A.G. Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Mr. Jainainder Saini, Advocate, who is present in the Court, has put in appearance on behalf of complainant and filed memo of appearance.

Petitioner Rohtash was arrested on 01.02.2018 while petitioner Salim Khan was arrested on 31.01.2018. As per the allegations in the FIR, both have been attributed *danda* blow to the complainant. Police after investigation has filed challan against the petitioners and one Subhash. However, investigation is stated to be pending against remaining accused.

Keeping in view the above facts; that conclusion of investigation and trial will take considerably long time and all the offences are triable by Judicial Magistrate, but without expressing any opinion on merits of the case, both the aforementioned petitions are allowed. Petitioner Rohtash and Salim Khan are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate, subject to following terms:-

- a. The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.

c. They shall not leave the country without the prior permission of the Court.

May 22, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>