

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21559 of 2018
Date of Decision: 19.09.2018

Ram Gopal

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Baljeet Beniwal, 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.126 dated 08.06.2016 registered for offences punishable under Sections 302/34 of Indian Penal Code (for short, "IPC") at Police Station Cheeka, District Kaithal.

Heard.

Learned State counsel submits that one of the accused, namely, Gurdhian @ Dhiana has been acquitted in this case. In the trial of petitioner, who is otherwise juvenile but has been sent to Sessions Court for trial as an adult, the prosecution has examined 17 out of 22 witnesses. None of the material witness supported the case of prosecution and have turned hostile.

In view of submissions of learned State counsel 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-Ram Gopal 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 19, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No