

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-22362 of 2018
Date of Decision: 06.08.2018

Sahil

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.S.Rai, Sr. Advocate with
Mr. Karan Pathak, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Tejinder Pal Singh, Advocate
for the complainant.

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.27 dated 19.09.2016 registered for offences punishable under Sections 148/149/364/305/506 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act at Police Station Sanoli, District Panipat.

Heard.

Learned counsel for petitioner seeks regular bail for the petitioner on parity with co-accused, namely, Sompal, Sonu and Balbir.

Allegations against petitioner and other co-accused (mentioned above) are similar. As per order dated 16.05.2018 passed in CRM-M-16371 of 2018, regular bail was allowed to co-accused, namely, Sompal with the observation that conclusion of trial will take considerably long time.

Applying the principle of parity but without expressing any

opinion on merits of the case, the present petition is allowed. Petitioner-Sahil 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

Learned counsel for the petitioner submits that by typographical mistake Section 305 IPC in the headnote in place of Section 302 IPC has been mentioned and seeks rectification of the same.

Request is allowed. Bail allowed to the petitioner be deemed as having been allowed for offence punishable under Section 302 IPC as well.

August 06, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No