

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23002 of 2018
Date of Decision: 01.06.2018

Subash

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ram Kumar Saini, Advocate
for the petitioner.

Mr. Deepak Grewal, 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.17 dated 25.01.2018 registered for offences punishable under Sections 147/323/326/458/506/149 of Indian Penal Code (for short, "IPC") at Police Station Agroha, District Hisar.

Heard.

As per allegation in the FIR, petitioner alongwith his co-accused entered shop of complainant and caused him injuries. The petitioner has been attributed head injury to complainant with rod.

Learned counsel for petitioner submits that co-accused, who had also caused injuries to complainant, have been released on bail. Challan in this case has been presented and charges have also been framed. Offences mentioned in the challan are triable by Court of Magistrate. The petitioner in this case was arrested on 29.03.2018 and is in custody since then.

Without expressing any opinion on merits of the case and keeping in view the period of incarceration of petitioner and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Subash 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

June 01, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No