

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No.M-23078 of 2018 (O&M)
Date of decision : 24.07.2018

Alok Dagar alias Golu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, 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.49 dated 04.02.2016, registered under Sections 302, 201, 457, 380, 120-B, 34 IPC at Police Station Sector 55, Faridabad, District Faridabad, Haryana.

Heard.

The dead body of one Rakesh, who was working as security guard, was recovered by the police on 04.02.2016. However, the investigation agency took the CCTV footing leading to that place and came to know that one Harpal was driving the tractor and co-accused Sonu alias Parmod was sitting on the mud-guard seat of the tractor. During investigation, the iron rod was recovered from co-accused Sonu alias Parmod.

The trial court has given benefit of bail to co-accused Sonu alias Parmod vide order dated 06.03.2018. The petitioner is not named in

the FIR nor he is seen in the CCTV footage. He is in custody since 17.02.2016. The trial of the case will take long time. No useful purpose shall be served by keeping the petitioner in custody any further.

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 Alok Dagar alias Golu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Faridabad, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

24.07.2018

mamta

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No