

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23358 of 2018
Date of Decision: 01.06.2018

Mohit Gupta @ Kagga

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Rajvinder Kaur, 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.62 dated 09.03.2016 registered for offences punishable under Sections 148/149/323/324/307/186/332/353 of Indian Penal Code (for short, "IPC") at Police Station Ambala City, District Ambala.

Heard.

As per allegation in the FIR, petitioner has been attributed kick and fist blows to Amit and complainant. He was not armed with any weapon at the time of occurrence.

The petitioner was arrested on 06.04.2016 and is in custody since then.

Learned State counsel submits that prosecution has examined two witnesses in this case so far. However, their cross-examination is yet to be recorded.

Without expressing any opinion on merits of the case and

keeping in view period of incarceration of petitioner and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Mohit Gupta @ Kagga 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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