

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-25665 of 2018
Date of Decision: 24.07.2018

Sahab Ram

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bhupender Singh Saroha, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, 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. 8 dated 15.01.2018 registered for offences punishable under Sections 147/149/114/285/302/323/341 of Indian Penal Code (for short, "IPC") and 25/27 of the Arms Act, at Police Station Agroha, District Hisar.

Heard.

As per allegations in the FIR, petitioner was present with other assailants at the time of occurrence. Anil on the asking of his grandfather, namely, Bhagirath, fired two shots at Rajesh, who died of bullet injuries. No specific injury has been attributed to the petitioner.

Learned State counsel submits that though no injury has been attributed to the petitioner but he was present at the spot and he has been named in the FIR.

The petitioner has been named in the FIR by complainant.

Recovery of *danda* has been effected from his possession but no injury of

danda blow has been attributed to him. No specific motive against the petitioner in the alleged occurrence has been disclosed by the complainant.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

July 24, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No