

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26059 of 2018
Date of Decision: 08.08.2018

Faryad Khan @ Sonu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. M.S. Saini, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

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.162 dated 16.10.2018 registered for the offence punishable under Section 380 of Indian Penal Code (for short, "IPC") at Police Station Tanda, District Hoshiarpur.

Heard.

The petitioner was proclaimed offender in instant FIR. As per allegations in the FIR, newly born calf and two buffaloes were stolen by the petitioner from *haveli* of complainant.

The petitioner was arrested in this case on 05.03.2018 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 that conclusion of trial will take considerably long time, the present petition is allowed.

Petitioner-Faryad Khan @ Sonu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 08, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No