

**218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-27176-2018

Date of decision: July 09, 2018

Manjeet

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Sunita Nambiar, Advocate for
Mr. Abhimanyu Singh, 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.163 dated 09.06.2014 registered for the offences punishable under Sections 302/34 of Indian Penal Code (for short, "IPC") and Sections 25 of the Arms Act at Police Station Farrukh Nagar, District Gurugram.

Heard.

Petitioner was neither named in the FIR nor in the statement of the complainant but during investigation, co-accused Rajesh Bawania has disclosed that present petitioner was also involved in the crime. In pursuance thereof, he was arrested on 15th October, 2015. Nothing has been recovered from him. He has sought bail solely on the basis of parity of co-accused Manbir.

I have heard learned counsel for the parties and gone through the record.

The value of the confessional statement of Rajesh Bawania *qua* the petitioner is debatable. Except this document nothing is on record to array the petitioner as accused.

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 Manjeet son of Zile Singh 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, concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

July 09, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No