

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

**Crl. Misc. No.M-27190 of 2018 (O&M)
Date of Decision: August 01, 2018**

Rahul

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vishavdeep Singh Rana, Advocate
for the petitioner (s).

Ms. Dimple Jain, A.A.G. 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. 261 dated 03.12.2017 registered for the offences punishable under Sections 148, 449 450, 364, 323, 325, 120-B read with Section 149 of Indian Penal Code (for short-IPC), at Police Station Ateli, District Mohindergarh.

Heard.

As per the allegations in the FIR, petitioner along with other co-accused named in the FIR have caused injuries on the person of complainant with iron rod and *danda* and then threw him under the impression that he has died.

Learned State counsel on instructions from ASI Hari Prakash submits that three injuries caused by blunt weapon were found on the

person of complainant. However, no injury dangerous to life was found on his person.

The challan in this case has already been filed. Petitioner was arrested on 05.03.2018 and since then he is in custody. Regarding other FIR recorded under Section 307 IPC, learned counsel for the petitioners submits that petitioner has been acquitted in that case vide judgment passed by the Court of Additional Sessions Judge, Narnaul.

Keeping in view the nature of offence, period of incarceration of the petitioner and that after filing of challan, trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Rahul is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

August 01, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No