

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27751 of 2018
Date of Decision: 06.09.2018

Rajanpreet

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Parminder Singh, Advocate
for Mr. G.S. Sandhu, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

CRM-30880-2018

Application is allowed and copies of statements of PW-2 and PW-3 are taken on record as Annexures A-1 and A-2, subject to all just exceptions.

CRM-M-27751-2018

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.285 dated 25.11.2017 registered for offences punishable under Sections 397 and 379-B of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Kunjpura, District Karnal.

Heard.

Learned counsel for petitioner submits that complainant and other witnesses have been examined by the prosecution, who have turned hostile and not supported its case.

Learned State counsel submits on instructions from SI Kulwant

Singh submits that though complainant and other witnesses have turned hostile but there is long list of 7/8 cases against the petitioner, who is involved in such type of cases.

The petitioner was arrested in this case on 20.02.2018. The main witnesses are stated to have been examined, who have not supported the prosecution case.

In view of above but 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-Rajanpreet 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 06, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No