

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

**Crl. Misc. No.M-28891 of 2018 (O&M)
Date of Decision: July 18, 2018**

Mukesh Kumar

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Munish Behl, Advocate
for the petitioner (s).

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. 134 dated 07.05.2018 registered for the offences punishable under Sections 148, 323, 452 & 506 read with Section 149 of Indian Penal Code(for short-IPC) and Sections 326 and 459 IPC added later on, at Police Station Mahesh Nagar, District Ambala.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned counsel for the petitioner submits that petitioner has

been attributed *danda* blow on the head of complainant/injured. He was earlier released on bail but later on police added Sections 326 and 459 IPC and the petitioner was arrested on 08.05.2018. Thereafter, challan has been presented in the Court.

Learned State counsel on instructions from ASI Ramesh Kumar submits that petitioner has not been attributed grievous injury with sharp edged weapon. This injury has been attributed to co-accused.

Keeping in view the above fact but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Mukesh Kumar 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 18, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***