

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

CRM-M-30008-2018 (O&M)

Date of decision: 22.10.2018

Harender alias Bouch

...Petitioner(s)

VERSUS

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Salil Dev Singh Bali, Advocate.
for the petitioner.

Mr. Ashok Muthreja, 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.253 dated 24.6.2016 registered for the offences punishable under Sections 392, 397, 201 of Indian Penal Code (for short, "IPC") and 25 of Arms Act at Police Station Murthal, District Sonapat.

Heard.

As per prosecution case, a robbery took place in HDFC Bank in village Murthal, District Sonapat on 24.6.2016 at about 1:17 p.m. for an amount of Rs.19,70,700/-. It is alleged that the petitioner was arrested on 2.11.2016 and an amount of Rs. 4,18,000/- along with revolver has been effected.

Counsel for the petitioner submits that there is no document to connect the recovered money with the stolen money. He further relied upon the statement of PW-1-Vijay Batra, Manager, HDFC Bank, PW2-Neeraj Kumar Antil, PW3-Naresh Kumar, Security Guard, PW4-Bijender Malik, PW5-Monika Bedi, all officials of the bank who were present at the spot at the time of occurrence and submits that they could not identify the petitioner.

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-Harender alias Bouch son of Bijender Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 22, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No