

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

**CRM-M-31550-2018
Date of Decision: 20.12.2018**

Amir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.R.S.Rai, Sr. Advocate with
Mr. Karan Pathak, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No. 270 dated
09.07.2017, Sections 304-B, 498-A, 406, 323, 34 IPC, registered at Police
Station Tauru, District Nuh.

Learned senior counsel appearing on behalf of the petitioner
would contend that the petitioner has been in custody since 15.07.2017 and
the prosecution evidence has been completed. Resultantly, there would be
very little opportunity of him influencing any material witnesses.

Ms. Gaganpreet Kaur, learned AAG, Haryana, opposes the
grant of regular bail, however, does not dispute the fact that the prosecution
evidence has been completed.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been incarcerated since 15.07.2017 and the prosecution evidence has been completed, the present petition is allowed. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

20.12.2018

Satyawan

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.
No.