

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-33878 of 2018
Date of Decision: 14.08.2018

Vijay

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.A. Sheoran, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, 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.115 dated 04.04.2018 registered for offences punishable under Sections 186/307/332/342/353/395/397 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Badhra, District Charkhi Dadri.

Heard.

As per allegations in the FIR, the police party headed by HC Udai Bhan had apprehended one Ajit and recovered 125 boxes of liquor from his vehicle. In the meanwhile, a pick up bearing no. HR99AAB(T) 0334 and Linea car bearing registration no. DL-6CJ-8154 came to the spot from which five persons alighted and attacked the police party. They also tried to get Ajit released from custody.

Learned State counsel submits that petitioner was arrested on disclosure statements of Mahesh and Ajit. As per them, he was also one of the person, who had come to the spot.

Both the co-accused, namely, Mahesh and Ajit have been allowed regular bail vide orders dated 13.07.2018 passed in CRM-M-28163-2018 and 01.08.2018 passed in CRM-M-31268-2018.

Without expressing any opinion on merits of the case and applying the principle of parity with co-accused, Mahesh and Ajit, the present petition is allowed. Petitioner-Vijay 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 14, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No