

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34610-2018 (O&M)

Date of Decision: 16.8.2018

Ram Dass and another

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rajesh Bhateja, Advocate
for the petitioners.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

CRM-27877-2018

Allowed as prayed for.

CRM-M-34610-2018

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.371 dated 30.4.2017 registered for the offences punishable under Sections 342, 380, 457 of Indian Penal Code (for short, "IPC") (later on challan was presented under Section 395 IPC) at Police Station 10, District Gurgaon, Haryana.

Heard.

The FIR was registered against unknown thieves for committing theft in the house of the complainant. Theft of ₹ 5 lacs in cash, one kilogram silver and 86 tola of gold jewellery was committed. Initially, the petitioners have been arrested in some other case and on their disclosure

statement, they were arrested in this case. A sum of ₹ 1500/- only was recovered from them. No test identification parade was got conducted.

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. Petitioners-Ram Dass son of Ram Rattan and Dharam Pal son of Khandel Murari were 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 petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bond and surety bond and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

August 16, 2018

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No