

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

CRM-M-3469-2018

Date of decision: 18.07.2018

Pritam

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ashwani Bhardwaj, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Ajit Singh Lamba, Advocate,
for the complainant.

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. 364 dated 22.11.2016 under Sections 498-A, 304-B, 406/34 IPC, registered at Police Station Bhattu Kalan (Fatehabad).

It is contended by learned counsel for the petitioner that the petitioner herein has been incarcerated since 26.11.2016 while also submitting that there are two minor children who are being looked after by his aged parents. It is also argued that the trial is likely to take some time to conclude since an application has been filed under Section 319 Cr.P.C. seeking to summon his parents, which stood dismissed but revision against the same is pending in the High Court. It is also contended that the complainant has been examined in part. In this background, he prays for

grant of bail to the petitioner.

Ms. Gaganpreet Kaur, learned AAG, Haryana as well as learned counsel for the complainant, oppose the grant of regular bail while submitting that the allegations are serious in nature.

I have heard learned counsel for the parties and in view of the fact that the petitioner herein has been incarcerated since 26.11.2016, the trial is likely to take some time to conclude, without expressing any opinion on merits of the case, the present petition is allowed. 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

18.07.2018*Satyawan*

Whether speaking/reasoned

Whether reportable

**(JAISHREE THAKUR)
JUDGE**

Yes.

No.