

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

CRM-M-34799-2018

Date of decision: August 20, 2018

Bhura @ Shakur Mohammad and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sarvesh Kumar Gupta, Advocate
for the petitioners.

Mr. Raj Kumar Makkad, DAG, Haryana.

Mr. Hardeep Singh, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure, 1973 for grant of regular bail to the petitioners namely, Bhura @ Shakur Mohammad and Bundu Khan, in case FIR No.175 dated 08.09.2017 registered for the offences punishable under Sections 148, 149, 323, 307 and 506 of the Indian Penal Code (for short 'IPC') at Police Station Chhappar, Yamuna Nagar.

Heard.

It has been submitted that petitioner No.2 was armed with danda and main injury has been attributed to Mustaq and Akram.

Learned State counsel as well as learned counsel for the complainant submitted that a compromise has been effected.

No injury has been attributed to the petitioners and only it is alleged that petitioner No.2 was holding danda. He is 72 years old.

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 are ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned 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- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn.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 20, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No