

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

CRM-M-36316-2018

Date of decision: 30.08.2018

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Aakash Singla, Advocate,
for the petitioner.

Mr. P. P. Chahar, DAG, Haryana.

Mr. R.K. Chaudhary, 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. 43 dated 24.01.2018 under Sections 148, 149, 323, 354, 452, 506 IPC (Section 307 IPC added lateron), registered at Police Station Rai, District Sonapat.

It is contended by learned counsel for the petitioner that the main allegations in the said FIR pertain to one Amit for attempting to molest the prosecutrix. In the said FIR, the only allegation against the petitioner is that he caused lathi blow on the left hand wrist of the complainant. It is contended that he has been in custody since 25.01.2018, the charges have been framed and the trial is likely to take some time to conclude.

Mr. P. P. Chahar, learned DAG, Haryana opposes the grant of

regular bail while submitting that the allegations are serious in nature, however, he has not disputed the presentation of challan and framing of charges.

I have heard learned counsel for the parties and in view of the fact that the petitioner herein has been in custody since 25.01.2018; challan has been presented in the Court; and that only a lathi blow has been attributed to the petitioner herein, 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

30.08.2018*Satyawan*

Whether speaking/reasoned

Whether reportable

**(JAISHREE THAKUR)
JUDGE**

Yes.

No.