

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38662 of 2018
Date of Decision: 11.09.2018

Sunny and another

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Himmat Singh Deol, Advocate
for the petitioners.

Ms. Dimple Jain, A.A.G., 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 petitioners in case FIR No.271 dated 03.05.2018 registered for offences punishable under Sections 148/149/323/342/506 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Samalkha, District Panipat. (Offences punishable under Sections 325/307 IPC were added later on).

Heard.

Learned State counsel submits that petitioners were arrested on 09.05.2018. As per allegations in FIR, they were part of unlawful assembly, which caused injuries to complainant. However, no specific injury has been attributed to petitioners. Challan against petitioners has been presented in Court. Other co-accused of petitioners are already on bail.

In view of above but 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, namely,

Sunny and Gaurav @ Tidda are ordered to be released on regular bail on

furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) 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- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

September 11, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No