IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-39219 of 2018
Date of Decision: 13.09.2018

Rohit ....Petitioner

VERSUS

State of Haryana ....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

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SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.113 dated 04.04.2018 registered for offences punishable under Sections 384/506/34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Bhupani, District Faridabad.

Heard.

As per case of prosecution, one Robert Nagar had threatened the complainant, who was laying cable of Reliance Company as per direction of his contractor, to stop the work or to pay ₹10,000/- to him. Complainant reported the matter to his contractor, who informed the police, which came at the spot.

Learned State counsel submits that on raid at the office of Robert Nagar, petitioner alongwith one Munish was arrested. The matter is still under investigation *qua* Robert Nagar and challan against petitioner and Munish has been presented in Court. From the petitioner no recovery

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was effected. However, weapons were recovered from office of Robert Nagar.

Admittedly no test identification parade of petitioner was got conducted. Petitioner was arrested on 09.07.2018 and since then he is in custody.

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. Petitioner-Rohit is 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 petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.

(b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 petitioner shall have to apply for bail afresh.

(c) He shall not leave the country without the previous permission of the Court.

September 13, 2018 **(SURINDER GUPTA)**
jk **JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No

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