

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

CRM-M-39294-2018
Date of decision: 13.09.2018

Ram Kishan alias Rama

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

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.278 dated 05.08.2018 under Sections 148, 149, 323, 452, 354-B, 506 IPC, registered at Police Station Sadar Gohana, District Sonipat.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner has been falsely implicated in the said FIR. He has been in custody since 06.08.2018. It is also contended that a Panchayat was convened in the said matter, in which it was noticed that the genesis of the dispute pertains to certain payments to be made. In this background, he prays for grant of bail to the petitioner.

Ms. Gaganpreet Kaur, learned AAG, Haryana opposed the grant of regular bail while submitting that the allegations are serious in nature, however, submits that the investigation in the matter is complete and he is not required any more.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been incarcerated since 06.08.2018 and that the investigation in the matter is complete and he is not required any more, the present petition is allowed. Without expressing any opinion on merits of the case, the 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

13.09.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.