

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-39957 of 2018
Date of Decision: 18.09.2018

Abhishek

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Vikas Bishnoi , Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, 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 petitioner in case FIR No.336 dated 18.04.2018 registered for offences punishable under Sections 323/324/341/506/34 of Indian Penal Code (for short, "IPC") at Police Station City Hisar, District Hisar. (Offence punishable under Section 326 IPC was added later on).

Heard.

Learned counsel for the petitioner submits that as per version of prosecution, petitioner had caught hold of injured-Himanshu, who was caused knife injuries by Subhash @ Bhindi and Rahul. Subhash @ Bhindi has been allowed regular bail while Rahul, who is a juvenile, has been released by Juvenile Justice Board.

Learned State counsel on instructions from HC Pappu Ram has admitted that assailant Subhash @ Bhindi, who has been attributed knife injury on the person of complainant, has been released on bail.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that after presentation of challan conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Abhishek 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 18, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No