

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

Criminal Misc.No.M-42850 of 2018 (O&M)

Date of Decision : 07.12.2018

Narender

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, 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.309, dated 14.08.2017, registered under Sections 307, 476, 353/186, 34 IPC and Section 25 of the Arms Act, (Section 353/186 IPC added later) at Police Station Rajendra Park, Gurugram.

Learned counsel for the petitioner has submitted that the petitioner is on interim bail in cases FIR Nos.03 of 2017, 45 dated 19.06.2017 and 1558 of 2015.

It is alleged that petitioner fired gun shot towards the police official but none had injured. Even police also fired shot in the air.

The learned State counsel has opposed the instant petition mainly on the ground that after search of the car, six desi firearms, six desi pistol, one revolver, 15 rounds 9 mm, 15 rounds .315 bore, 10 rounds .455 bore, 6 rounds of 7.62 MM were recovered.

The petitioner is in custody since 14.08.2017. The trial of the

case will take long time. No useful purpose will be served by keeping the petitioner in custody any further.

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 Narender is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (d) He will maintain peace and be of good behaviour.

07.12.2018
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No