

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-43597 of 2018
Date of Decision: 08.10.2018

Pushpender @ Chhotu

....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.

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.917 dated 01.12.2016 registered for offences punishable under Sections 379-A/201 of Indian Penal Code (for short, "IPC") at Police Station Sector 55 (now Police Station Sector 58), Faridabad

Heard.

Learned counsel for the petitioner submits that petitioner was earlier on bail in this case but during trial he absented and was declared proclaimed offender. He was arrested on 22.06.2018 and since then he is in custody. The other co-accused, who were also facing trial with petitioner, are on bail.

Learned State counsel submits that the prosecution has examined all except two witnesses in this case and the next date fixed is 12.10.2018.

Keeping in view the fact that petitioner is in custody for the last

more than three months and conclusion of trial will take sometime, the present petition is allowed. Petitioner-Pushpender @ Chhotu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 08, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No