

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-45975 of 2018
Date of Decision: 25.10.2018**

Pankaj @ Monu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. B.S.Saroha, Advocate
for the petitioner.

Mr. R.K.Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, "Cr.P.C".) for grant of regular bail to the petitioner in case FIR No.1002 dated 2.11.2014 registered for the offences punishable under Sections 399, 402 of Indian Penal Code (for short, "IPC") and Section 25 of Arms Act at Police Station Sadar, Hisar, District Hisar.

Heard.

Learned counsel for petitioner submits that the petitioner was earlier granted bail but he could not appear and was ultimately declared proclaimed offender. However, after trial, all the co-accused were acquitted of the offence punishable under Sections 399, 402 of Indian Penal Code. However, one of them namely Rakesh @ Rocky was convicted for having in possession a pistol or firearm. Now the petitioner has again been arrested on 7.4.2018 and since then, he is in custody.

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-Pankaj @ Monu son of Satypal 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 25, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No