

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-48044 of 2017 (O&M)
Date of decision : 18.01.2018

Jail Kumar alias Bhadar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amardeep Sheoran, 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.165 dated 12.09.2017, registered under Section(s) 307/34 IPC and Section 25 of the Arms Act, at Police Station Siwani, District Bhiwani.

Heard.

The FIR was registered against unknown persons and it is a case of no injury. A copy of affidavit of complainant Vijay has been placed on record wherein he has stated that the petitioner was not among those persons who fired at him. The petitioner is in custody since 07.10.2017. The conclusion of trial will take long time and no useful purpose will be served by keeping the petitioner in custody.

Keeping in view the facts and circumstances of the case and without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Jai Kumar alias Bhadar is ordered to be released on

regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Duty Magistrate, Bhiwani, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

18.01.2018
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(RAJ SHEKHAR ATTRI)
JUDGE