

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

**Criminal Misc.No.M-49011 of 2017 (O&M)  
Date of Decision : 12.01.2018**

Mosam Ali

..... Petitioner

Versus

State of Haryana

..... Respondent

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

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Present : Mr. Namit Khurana, Advocate  
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

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**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.235 dated 31.10.2016, registered under Sections 392, 394, 397 IPC and Section 25 of the Arms Act, at Police Station Sadar, Yamuna Nagar, District Yamuna Nagar.

Heard.

The FIR has been registered against the unknown persons. However, one Mohit Kumar alias Avinash was arrested in this case and he suffered disclosure statement wherein he disclosed that Mosam Ali (petitioner herein) was also the part of the conspiracy. However, nothing has been recovered from the petitioner. Said Mohit Kumar alias Avinash has already been granted regular bail by the learned trial Court.

Keeping in view the facts and circumstances of the case and the fact that conclusion of trial will take considerably long time and

without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Mosam Ali is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Yamuna Nagar at Jagadhri, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

**12.01.2018**  
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**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

*Whether Reportable :*

*Yes/No*