

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-50615 of 2018 (O&M)
Date of Decision: 22.11.2018**

Sahil

....Petitioner

VERSUS

State of Haryana

....Respondent

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

Present: Mr. Ashok Tyagi, Advocate
for the petitioner (s).

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

RAJ SHEKHAR ATTRI, J.(Oral)

CRM-41165-2018

Allowed as prayed for and document Annexure P-3 is taken on record subject to all just exceptions.

CRM-M-50615-2018

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.388 dated 20.8.2018 registered for the offences punishable under Sections 379-B, 34 of Indian Penal Code (for short, “IPC”) at Police Station Sector 50, Gurugram.

Heard.

It is the case of the prosecution that on 20.8.2018, the complainant was present on the main road near Artemis Hospital Gurugram

along with his car and at about 10:30/11:00 p.m., one motorcycle came on

which three persons were riding. They started abusing the complainant and in the meanwhile, two of them forcibly entered the car and one took over the driver seat and the complainant was also made to sit in the car. Thereafter, he was thrown away after some distance and thereafter, ran away from the spot along with the car and a mobile phone.

Learned State counsel states that one mobile has been recovered from the petitioner. The car has been recovered in abandoned condition. It has been further stated that the petitioner was identified in Test Identification Parade before the Tehsildar.

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-Sahil son of Shyam Dutt 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 22, 2018

Paritosh Kumar

Whether speaking/reasoned

Whether reportable

(RAJ SHEKHAR ATTRI)

JUDGE

Yes/No

Yes/No