

Sr. No.218

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

**CRM-M-51990-2018
Date of decision:30.11.2018**

Surender

.....Petitioner

versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. P.R.Yadav, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.376 dated 06.08.2018 for the offences punishable under Section 379-A IPC registered at Police Station Sushant Lok, District Gurugram (Haryana).

Learned counsel for the petitioner contends that he is not named in the FIR. He has further contended that the physical attributes of the petitioner do not tally with the ones disclosed in the FIR. In fact, the Police at Gurugram has kept the petitioner as a stock accused. Therefore, whenever any case is unsolved, the Police involves the name of the petitioner. As a result, the petitioner has been involved in so many cases. However, petitioner has been released on bail in all those cases. Further; it is contended by learned counsel for the petitioner that petitioner is in custody since, 06.08.2018. Challan in the case has already been filed. Therefore, petitioner is no more required for any further investigation. He

has further submitted that the petitioner would not even enter the Gurugram District if he is released on bail.

On the other hand, learned State counsel being instructed by ASI Narpal Singh submits that the petitioner is a habitual offender. He is involved in so many other cases of the same nature. However, he does not dispute the fact that the petitioner has been released on bail in all those cases and that the challan has already been filed.

In view of the above, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

However, bail pending trial is granted to the petitioner subject to further condition that the petitioner shall not enter in the District of Gurugram; except on the dates fixed before the Trial Courts; in various cases.

30th November, 2018

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*