

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

CRM-M-53360-2018

Date of decision: December 07, 2018

Sombir @ Tinu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Neeraj 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.504 dated 06.08.2017 registered for the offences punishable under Sections 307, 386, 201, 120-B of Indian Penal Code (for short, "IPC") with Section 34 IPC and Section 25 of Arms Act, 1959 at Police Station City Bhiwani, District Bhiwani.

Heard.

FIR has been registered against some unknown persons that they fired shot on the victim.

It has been submitted that the petitioner has been arraigned solely on the basis of disclosure statement in another case vide FIR No.189 dated 10.10.2017 to the effect that he caused injury.

To the mind of this court that part of disclosure statement is not admissible into evidence and it is a confessional before the police. However, nothing has been recovered from the petitioner. He was arrested on 28.11.2017.

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 is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

December 07, 2018
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No