

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

CRM-M-54481-2018

Date of decision: 14.12.2018

Sumit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. G.S. Gopera, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 223 dated 02.09.2018 under Sections 328, 34, 498-A IPC, registered at Police Station Sadar Narwana, District Jind.

Learned counsel appearing on behalf of the petitioner would contend that the allegations as set out in the FIR are patently false while further contending that there is no medical evidence on the record which would reflect that the complainant had been administered anything poisonous. The petitioner herein has been in custody since 03.09.2018, challan has been presented, charges have been framed and the trial is likely to take some time. In this background, he prays for grant of bail to the petitioner.

Ms. Gaganpreet Kaur, learned AAG, Haryana opposes the grant of regular bail while submitting that the allegations are serious in nature,

however, submits that the investigation in the matter is complete, challan has been presented and charges have been framed.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been incarcerated since 03.09.2018, challan has been presented in Court, charges have been framed and the trial is likely to take some time to conclude, the present petition is allowed. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

14.12.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.