

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

**Crl. Misc. No.M-55964 of 2018 (O&M)
Date of Decision: December 21, 2018**

Kamaldeep @ Kamlu

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S.Ahluwalia, Advocate
for the petitioner (s).

Ms. Dimple Jain, A.A.G., Haryana.

Mr. Akashdeep Singh, Advocate
for the complainant.

SURINDER GUPTA, 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. 204 dated 23.10.2017 registered for the offences punishable under Sections 148, 149, 323, 324, 325, 326, 307, 379-B, 473, 506 read with Section 120-B of Indian Penal Code and 25 of the Arms Act at Police Station Chhapar, District Yamuna Nagar.

Heard.

The petitioner was on bail in this case but absented on 21.11.2018 and was taken in custody on 10.12.2018.

Learned counsel for the petitioner submits that on 21.11.2018, the petitioner could not appear as he was not well and was advised for bed rest.

Keeping in view the fact that petitioner is in custody since 10.12.2018 and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Kamaldeep @ Kamlu 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

December 21, 2018
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***