

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-54692 of 2018
Date of Decision: 17.12.2018

Mukhiya

....Petitioner

VERSUS

State of Punjab

....Respondent

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

Present: Mr. A.P.S.Sehgal, Advocate
for the petitioner.

Mr. C.L.Pawar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, J.

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.95 dated 16.8.2018 registered for the offences punishable under Sections 392, 395, 148, 149, 411 of Indian Penal Code (for short, "IPC") at Police Station Lambra, District Jalandhar.

Heard.

It has been submitted that four motor cycles were recovered from the petitioner but those were not the stolen property and those have been handed over to the registered owner. It has been further argued that two three wheelers have also been recovered from the petitioner but those also did not prove to be the stolen property. It has been further submitted that 43 batteries of different network towers have also been recovered from the joint custody of the petitioner and co-accused.

Co-accused has also been granted the benefit of regular bail by this Court vide order dated 15.11.2018 passed in CRM-M-45746-2018.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

December 17, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No