

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

**CRM M-10183-2019 (O&M)
Date of Decision : 08.03.2019**

Mukesh Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Sunil Agnihotri, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Sanjeev Kumar Bawa, Advocate for the complainant.

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.12 dated 24.01.2019, registered under Section 354 IPC, at Police Station Satnampura, Tehsil Phagwara, District Kapurthala.

It has been submitted that the compromise has been effected between the parties and the petition for quashing of FIR on the basis of compromise has already been filed which is pending.

Learned counsel for the complainant has also admitted the fact regarding compromise and has stated that he has no objection if the bail petition of the petitioner is allowed.

The petitioner is stated to be in custody since 29.01.2019. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody any further.

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- (b) *In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

08.03.2019
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No