

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-20864 of 2019
Date of Decision: 01.10.2019

Vijay @ Vije

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Lather, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

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.531 dated 12.10.2018 registered for offences punishable under Sections 398 , 401 of Indian Penal Code (for short, “IPC”) and 25 of the Arms Act, at Police Station Gannaur, District Sonapat.

Heard.

As per case of prosecution, the petitioner with his co-accused was arrested on 12.10.2018 while planning to loot vehicles passing on road near bridge of minor canal Gannaur. From possession of the petitioner one double barrel *doga* 315 bore was recovered.

Learned counsel for petitioner submits that after arrest of the petitioner till date the prosecution has not been able to conclude its evidence.

Learned State counsel on instructions from ASI Satish Kumar submits that six out of 11 witnesses have been examined so far and every attempt is being made to conclude the evidence at the earliest.

As per report of trial Court,, one witness had been examined upto 25.07.2019. On earlier dates, no witness had put in appearance.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

October 01, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No