

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

**CRM-M No. 23504 of 2019
Date of decision : 27.5.2019**

Bantu @ Montu

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

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

Present: Mr. M.S. Rana, Advocate, for the petitioner

Mr. M.K. Sangwan, DAG, Haryana

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.436 dated 3.8.2017, registered for the offences punishable under Sections 323/324 of Indian Penal Code (for short, “IPC”) and Section 8 of POCSO Act, 2012, at Police Station Palam Vihar, District Gurgaon.

Heard.

Learned counsel for petitioner submits that earlier the petitioner was on bail. However, due to noting the wrong date, he was absent in the Court on 20.2.2019 and thereafter he himself surrendered before the trial Court on 22.4.2019. Since then he is in custody. Co-accused of the petitioner namely Mukesh has already been granted the concession of bail.

The conclusion of the trial will take long time and no useful purpose will be served by keeping the petitioner behind the bars further more. Therefore, he may be released on bail.

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 Bantu @ Montu is ordered to be released on regular bail on his 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

27.5.2019

Ashwani

Speaking/reasoned
Reportable

Yes/No
Yes/No