

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

CRM-M-51677-2018

Date of decision: January 30, 2019

Masook @ Monu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Anjum Ahmed, Advocate for
Mr. Ashik Ali, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 of Code of Criminal Procedure for grant of regular bail to petitioner-Masook @ Monu in case FIR No.12 dated 04.02.2018 registered for the offences punishable under Sections 148, 149, 436, 354-B, 452, 323, 506 of Indian Penal Code, 1860 (for short, "IPC"), Section 3.1(XI) & 3.2(III) of Scheduled Castes and Scheduled Tribes Act, 1989 at Police Station Khizrabad, District Yamuna Nagar, Haryana.

Learned State counsel on instructions from ASI Satish Kumar, 64/YNR, submitted that six witnesses including complainant have been examined but none of them supported the case of the prosecution.

Keeping in view the facts and circumstances of the case, without expressing any opinion on merits of the case and the fact that conclusion of trial will take considerably long time, no useful purpose would be served by detaining the petitioner behind the bars, therefore, the present petition is allowed. Petitioner is ordered to be released on regular

bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

January 30, 2019
m. sharma

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No