

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-25736 of 2019 in/and
CRM-M-32899 of 2019
Date of Decision: 24.10.2019**

Ajay Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jitender K. Sehrawat, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

SURINDER GUPTA, J.(Oral)

CRM-25736 of 2019

This is application to prepone the date of hearing fixed in main petition from 13.11.2019 to some actual date.

Learned State counsel submits that he has received the record and has no objection if the main petition, which is fixed for 13.11.2019, is preponed.

In view of submission of learned State counsel, this application is allowed and the main petition fixed for 13.11.2019 is preponed for today.

CRM-M-32899 of 2019

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. 124 dated 12.04.2019 registered for offences punishable under Sections 420, 468, 471, 482 of Indian Penal Code (for short, "IPC"); and 61 of the Punjab Excise Act , 1914 at Police Station Sector 56, Gurugram.

Heard.

Learned counsel for petitioner submits that the main accused,

namely Raja, from whom recovery of 230 boxes of liquor was made, has been allowed bail vide order dated 14.10.2019 passed by co-ordinate Bench in CRM-M-39219-2019. Allegation against the petitioner is that he helped in loading the liquor in the vehicle of main accused, Raja.

Learned State counsel submits that main accused in this case has not been arrested. Allegations against the petitioner are of facilitating the loading of liquor in the vehicle of co-accused, Raja, who has been allowed bail.

In view of above but 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-Ajay 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 24, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No