

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

**Crl. Misc. No.M-33841 of 2019 (O&M)
Date of Decision: August 26, 2019**

Mohit

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Minkal Rawal, Advocate
for the petitioner.

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. 26 dated 01.04.2019 registered for the offences punishable under Sections 323, 324, 506 read with Section 34 of Indian Penal Code (for short IPC) (Section 326 IPC added later on), at Police Station Bapoli, District Panipat.

Heard.

Notice of motion.

On asking of the court, Mr. Munish Sharma, Asst. A.G., Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per case of the prosecution, the occurrence took place on 31.03.2019, when one Sonu and Mohit were quarreling with Ankit son of

Hukma. When complainant-Parveen Kumar intervened, the petitioner armed with 'Nihani' gave blow on his chest, who fell down. Sonu caught hold of Ankit and Mohit gave another blow in his abdomen.

The petitioner was arrested in this case on 15.04.2019. He is stated to be around of 17/18 years of age and application to get him declared as juvenile is pending. After completion of investigation, the police has presented the challan in the Court.

Keeping in view the above facts and that trial of the case will take considerably long time, the present petition is allowed. Petitioner-Mohit is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

August 26, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No