

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

**Crl. Misc. No.M-34336 of 2019 (O&M)
Date of Decision: September 09, 2019**

Sunil @ Chand @ BachhiPETITIONER

VERSUS

State of HaryanaRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Savita Rana, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

This is second petition filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 148 dated 15.02.2019 registered for the offences punishable under Sections 148, 323, 324, 506 read with Section 149 of Indian Penal Code (for short IPC), at Police Station City Karnal, District Karnal.

Heard.

Notice of motion.

On asking of the court, Ms. Dimple Jain, A.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 her.

As per case of the prosecution, complainant Saurav @ Topi had to recover ₹1000/- from his neighbour-Jayant. On 13.02.2019, he asked Jayant to return his money which led to exchange of hotwords. Jayant called his friend Lakshaya at the spot, who further called his three friends namely

Udayvir, Kadam and Bachhi, who reached at the spot with knives. Kadam (non-applicant) gave knife blow in the left side of abdomen of complainant while Lakshaya and Jayant gave him slaps and fist blows. Thereafter, the people assembled and all the assailants fled away from the spot.

Learned State counsel submits that the petitioner was arrested on 25.05.2019 and knife was recovered from his possession.

Injury in the abdomen of the complainant has been attributed to Kadam. No injury has been attributed to petitioner. After completion of investigation, challan against him has already been presented in the Court.

Keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner -Sunil @ Chand @ Bachhi 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(SURINDER GUPTA)
JUDGE

September 09, 2019
Jyoti-II

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No