

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34545 of 2019
Date of Decision: 31.10.2019

Parshant @ Tony

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Virender Soni, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

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.424 dated 14.08.2018 registered for offences punishable under Sections 186, 353, 307 read with Section 34 of Indian Penal Code (for short, "IPC") and 25/29 of the Arms Act, at Police Station Rohtak Sadar, District Rohtak.

Heard.

As per case of prosecution, occupants of Swift car, when signaled to stop, fired at the police party. In defence, the police party also fired at the feet of one of the assailants and later on arrested all the occupants of the car including the petitioner. No weapon was, however, recovered from the petitioner.

The petitioner has been in custody since 14.08.2018. After completion of investigation challan against him has been presented in Court. It is a case of no injury to any member of police party, though offence under Section 307 IPC has been introduced in FIR.

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-Parshant @ Tony 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 31, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No