

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34543 of 2019
Date of Decision: 29.08.2019

Sanjay and another

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. H.S. Brar, Advocate
for the petitioners.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.68 dated 27.03.2019 registered for offences punishable under Sections 148, 149, 323, 216, 325, 506, 364 of Indian Penal Code (for short, "IPC") at Police Station Julana, District Jind. (Offences punishable under Sections 341 and 342 IPC were deleted later on).

Heard.

Notice of motion.

On asking of the Court, Mr. Kuldeep Sharma, DAG, 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 prosecution, the occurrence took place on 26.03.2019, when complainant was caused injuries by Ramesh, Sanjay, Sumit, Mukesh, Lali, Nito, Bala, Ritu and Kaushlaya. Ramesh gave injuries with an iron rod while petitioners, namely, Sanjay and Mukesh, have been

attributed fist and kick blows.

Learned State counsel submits that petitioners were arrested in this case on 28.04.2019 and are in judicial custody since then. After investigation of the case, police has presented the final report in Court and trial is in progress.

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. Petitioners, namely, Sanjay and Mukesh are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

August 29, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No