

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38740 of 2019
Date of Decision: 18.09.2019

Monu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Shiv Kumar, 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. 75 dated 03.06.2019 registered for the offences punishable under Sections 323, 325, 341, 379-B, 506, 148, 149 of Indian Penal Code (for short IPC) and 25 Arms Act (Sections 148, 149 IPC and 25 Arms Act has been deleted and Section 34 IPC added later on), at Police Station Bhupani, District Faridabad.

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 was caused injuries by the petitioner and some other persons, who also snatched his gold chain and cash of ₹15,700/- from his pocket. The motive for occurrence as

alleged by the complainant is that he had not allowed to use his field to fix tent for the marriage of sister of petitioner. Petitioner and his co-accused were nursing a grudge and due to this reason, caused injuries to him.

Learned counsel for the petitioner submits that co-accused namely, Sonu, has been allowed regular bail vide order dated 05.09.2019 passed in CRM-M-36327-2019. He seeks bail for the petitioner on the ground of parity.

The petitioner was arrested in this case on 17.06.2019. 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-Monu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

September 18 , 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No