

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-41282 of 2019
Date of Decision: 30.09.2019

Pawan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gurvinder Singh Sandhu, Advocate
for Mr. Jagmohan Ghumman, 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.281 dated 14.06.2019 registered for offences punishable under Sections 186, 332, 333, 34, 353, 379-B of Indian Penal Code (for short, "IPC") at Police Station DLF, Phase 3rd, District Gurugram. (Offences punishable under Sections 148, 149, 307 and 216 IPC were added later on and 307 and 333 IPC were deleted later on).

Heard.

Notice of motion.

On asking of the Court, Mr. Munish Sharma, AAG 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, a police party of Police Post DLF, Phase 3rd, Gurugram, headed by ASI Sunil, had gone to Nathupur, Gurugram on receipt of secret information. On reaching the house of Ankit

son of Balbir he found that two young boys were bringing liquor from the house and giving it to other boys. On enquiry, they told that this is the house of Ankit, who also came out and asked ASI Sunil to allow the sale of liquor on that day and promised to refrain from selling the liquor from the next day onward and indulged in arguments with him. When he was prevented from selling the liquor, he called his brother, namely, Pawan (petitioner) and 5/6 other unidentified persons, who caused injuries on the person of ASI Sunil and other members of the police party, snatched his purse and also destroyed fridge and liquor bottles.

The petitioner was initially arrested on 17.06.2019 and was allowed interim bail on 02.08.2019. He again surrendered on 03.09.2019. After completion of investigation challan against him has been presented in Court. Offences punishable under Sections 307 and 333 IPC have been deleted by the police.

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-Pawan 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.

September 30, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No