

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

**Crl. Misc. No.M-41442 of 2019 (O&M)
Date of Decision: October 03, 2019**

Atul and another

.....PETITIONERS

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Saurabh Sharma, 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. 83 dated 22.03.2019 registered for the offences punishable under Sections 148, 323, 324, 302, 427, 295-A, 120-B read with Section 149 of Indian Penal Code at Police Station Cheeka, District Kaithal.

Heard.

Notice of motion.

On asking of the court, Mr. Munish Sharma, Asst. 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 him.

Learned counsel for the petitioners seeks regular bail for the petitioners on parity with Lakhi Ram and another, who were allowed regular

bail vide order dated 17.09.2019 passed in CRM No. M-38818 of 2019.

Learned State counsel does not dispute that the case of petitioners is on parity with aforesaid Lakhi Ram and another. He submits that the petitioners have not been attributed any injury to Shamsheer i.e. father of complainant. In the supplementary statement of complainant, they have been attributed damage to the Gurudwara.

In view of submissions of learned State counsel and on parity with Lakhi Ram and another, the present petition is allowed. Petitioners namely Atul and Tarseem are ordered to be released on regular bail on furnishing their bail bonds and surety bonds to the satisfaction of concerned 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- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn.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 prior permission of the Court.

October 03, 2019

Jyoti-II

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No