

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

**Crl. Misc. No.M-42628 of 2019 (O&M)
Date of Decision: October 15, 2019**

Nirmal

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Parminder Kaur, 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. 686 dated 02.08.2019 registered for the offence punishable under Section 379 of Indian Penal Code at Police Station Karnal City, District Karnal.

Heard.

Notice of motion.

On asking of the court, Mr. Raj Kumar Makkar, Sr. D.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.

The present FIR was registered about theft of motor cycle of complainant, which was later on recovered from the petitioner, who was arrested in another case. In this case, he has been in custody since

12.08.2019.

Learned State counsel submits that after completion of investigation, challan has been filed in the Court.

Keeping in view the fact that the challan against the petitioner has been filed in the Court and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Nirmal 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

October 15, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***