

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-43260 of 2019
Date of Decision: 18.10.2019

Narender @ Godhu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Goyal, 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.66 dated 13.05.2019 registered for offences punishable under Sections 307, 323, 341, 427, 506, 34 and 120-B of Indian Penal Code (for short, “IPC”) at Police Station Nathu Sarai Chopta, District Sirsa. (Section 325 IPC was added 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.

Learned counsel for petitioner submits that in the occurrence complainant had suffered three injuries. Though, he has alleged that he was run over by SUV from the side of his chest but no corresponding injury was found on his medical examination.

Learned State counsel on instructions from ASI Jagat Ram submits that the complainant had suffered fracture on his right leg and has taken treatment from a private hospital. However, no injury has been declared dangerous to life.

Without expressing any opinion on merits of the case and keeping in view the fact that the petitioner has been in custody since 13.06.2019 and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Narender @ Godhu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 18, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No