

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

**Crl. Misc. No.M-44400 of 2019 (O&M)
Date of Decision: November 21, 2019**

Napolian Singh

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gaurav Sethi, Advocate
for the petitioner (s).

Ms. Dimple Jain, A.A.G. Haryana.

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.297 dated 17.07.2019 registered for the offences punishable under Sections 420/465/467/468/471/120-B of Indian Penal Code, at Police Station Sector-5, Panchkula.

Heard.

Learned State counsel submits that in appeal filed by petitioner, his sentence was suspended on furnishing of personal bond and surety bond. Umesh Kumar stood his surety while Naresh Kumar identified him but they furnished the surety of the land, which was not owned by them. On inquiry, that land was found to be owned by the Central Government.

Petitioner was arrested in this case on 01.08.2019 and is in

custody since then. The surety and identifier have not been arrested so far.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of investigation and trial will take considerably long time, the present petition is allowed. Petitioner Napolian Singh 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

November 21, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No