

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-48759 of 2019
Date of Decision: 25.11.2019

Deepak @ Ukla

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Saurabh Dalal, 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.468 dated 08.10.2018 registered for offences punishable under Sections 186, 224, 225, 353, 307 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station SGM Nagar, District Faridabad.

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 seeks bail for the petitioner on the ground of parity with co-accused, Mobilal @ Monu (allowed bail vide order dated 16.09.2019 passed in CRM-M-38380-2019), who was nominated in this case on the basis of disclosure statement of co-accused, but was not attributed any role in the incident.

Learned State counsel fairly concedes that allegations against the petitioner are on parity with co-accused, Mobilal @ Monu.

In view of submission of learned State counsel and applying the principle of parity with co-accused, Mobilal @ Monu but 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-Deepak @ Ukla 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 25, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No