

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

**Crl. Misc. No.M-49078 of 2019 (O&M)
Date of Decision: November 22, 2019.**

Bittu @ Shankar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Choudhary, Advocate
for the petitioner (s).

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. 107 dated 18.05.2018 registered for the offences punishable under Sections 392 of Indian Penal Code and 25 of Arms Act at Police Station Uklana, District Hisar.

Heard.

Notice of motion.

On asking of the court, Ms. Dimple Jain, A.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 her.

Learned counsel for the petitioner submits that complainant when appeared to depose as PW-1 has not identified the petitioner as he

specifically stated that petitioner was not the person who had snatched his car.

As per case of the prosecution, two persons had snatched the car from the complainant along with his two brief cases containing various articles and cash.

Keeping in view the statement of complainant and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Bittu @ Shankar 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 22, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No