

CRM-M-24257-2023

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

229

CRM-M-24257-2023

Date of Decision:-17.05.2023

VIKAS AND ANR

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.Ram Pal Verma, Advocate
for the petitioners

Mr.Arjun Lakhanpal, Addl.AG.,Haryana

ALOK JAIN, J. (Oral)

1. Prayer in the present petition is for grant of regular bail to the petitioners in case FIR No.67 dated 07.02.2020, under Sections 379-A, 392 and 34 of IPC and Section 25 of the Arms Act, registered at Police Station Kundli, District Sonipat.

2. Learned counsel for the petitioners submits that the petitioners were in fact, granted bail by the trial Court on 15.05.2020 and subsequent thereto, they had regularly been attending the proceedings right up till 26.09.2022 i.e. on the date when they could not put in appearance on account of the wrong noting of the date. However, learned counsel for the petitioners very fairly states that they came to know about the issuance of warrants after 02.11.2022 and they surrendered before the trial Court on 11.01.2023. He further submits that without commenting upon the merits

of the case, the petitioners have already suffered incarceration for more than 04 months, after surrendering on 11.01.2023.

3. Custody certificate dated 16.05.2023 has been filed by the respondent-State, which is taken on record.

4. Learned State counsel has submitted that in fact, the prosecution evidence has completed and the matter is at the fag end, and, therefore, he vehemently opposes the grant of bail to the petitioners.

5. After hearing learned counsel for the parties and considering the matter in its entirety, this Court is of the view that no useful purpose would be served by keeping the petitioners in custody.

6. Accordingly, without commenting upon the merits, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing a bail/surety bonds of at least Rs.1 lakh each, which is double than the earlier surety, to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioners shall declare their ordinary place of residence and the mobile number used by them.
2. They will not switch off their mobile and in case of any technical glitch, they have to give an alternate number, which will be available in their absence.
3. They will mark their presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark their presence, they are permitted to make an application before the Illaqa Magistrate, concerned.

4. They will not leave the country without the prior permission of the

CRM-M-24257-2023

3

Court, for which they shall submit the copy of their passports also.

7. The petitioners shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

8. It is further made clear that the petitioners shall not abstain themselves from any date of the proceedings.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

17.05.2023

neenu

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No