

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17103 of 2015

Date of decision : May 29, 2015

Pardeep Kumar

... Petitioner

vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Dinesh Ghai, Advocate for the petitioner.

Surinder Gupta, J

Heard.

Notice of motion.

On asking of the court, Mr. Yogesh Gupta, AAG, Punjab, 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.

As per allegations in the FIR, the petitioner was attesting witness of the sale deed pertaining to the property of Bagicha Singh. As per case of prosecution Mangat Ram, who executed the sale deed on 6.11.2009 had no authority to sell the property of Bagicha Singh. There is no allegations that the petitioner had identified any impersonator.

Without expressing any opinion on merits of the case, the instant miscellaneous petition is allowed. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Kapurthala, subject to following terms:

- a. The accused 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 her presence in accordance with law. In that eventuality the accused shall seek bail afresh.
- c. He shall not leave the country without the previous permission of the Court.

(Surinder Gupta)
Judge

May 29, 2015
deepak