

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M-28581 of 2016

Date of Decision:-29.08.2016

Gurwinder Singh alias Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Aminder Singh, Advocate for the petitioners.

Mr.Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.12, dated 12.03.2015, for offence under Sections 307, 341, 382, 427, 323, and 34 IPC, registered at Police Station, Sherpur, Distt. Sangrur.

Learned counsel for the petitioner contends that vide order dated 07.10.2015 passed in Crl. Misc. No.M-33637 of 2015 titled as **“Gurwinder Singh @ Sunny Vs. State of Punjab”**, the petitioner was ordered to be released on bail during the pendency of the trial, however, subject to his furnishing requisite bail bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sangrur.

He further submits that since 31.03.2016, the petitioner is in custody, as the petitioner has jumped the bail in the case on 20.02.2016. He also contends that for this lapse, he is in custody for the last about five months.

Learned counsel for the State has filed the custody certificate in Court today, which is taken on record. He, on instructions from Head Constable-

Bhinder Singh, submits that as many as six cases have been registered against the petitioner, though, he is on bail in two cases i.e. FIR No.71/ 17.08.2014 for offence under Sections 379, 120-B IPC, registered at Police Station Ahmerdarh and FIR No.74/2014 for offence under Sections 341, 325, 323 and 34 IPC, registered at Police Station Sherpur. He further submits that as against the total 14 witnesses, only 03 witnesses have been examined in the case.

I have heard learned counsel for the parties.

Cosidering the fact that vide order dated 07.10.2015, this Court has admitted the petitioner on bail, however, he jumped the bail on 20.02.2016 and thereafter since 31.03.2016, he is in custody for committing the lapse of jumping the bail, coupled with the fact that as against the total 14 witnesses, only 03 witnesses have been examined, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

August 29, 2016
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No