

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-18176 of 2017
Date of Decision: 27.07.2017

Neeraj Kumar @ Nina

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Bhargava, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Sr. DAG, Punjab.

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.176 dated 10.08.2016 registered for offences punishable under Sections 307, 323, 325, 452, 148, 506 read with Section 149 of Indian Penal Code (for short, "IPC") at Police Station Shimlapuri, District Ludhiana.

Heard.

Learned counsel for petitioner submits that allegations against the petitioner are similar to allegations levelled against co-accused, namely, Sandeep @ Kaka and Ravi @ Bhupinder, who have been allowed regular bail vide orders dated 18.04.2017 and 22.05.2017 passed in CRM-M-3250 of 2017 and CRM-M-15278 of 2017, respectively.

Perusal of FIR shows that allegations of causing injuries to complainant and his brother by petitioner and his co-accused are general in nature. The petitioner was allegedly armed with an iron rod while Sandeep @ Kaka was armed with *gandasi* with which he caused injuries on the

person of Surinder Pal Singh, brother of complainant.

Keeping in view above fact that challan has been presented and that conclusion of trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Neeraj Kumar @ Nina, who is in custody since 12.08.2016, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No