

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-18978 of 2017
Date of Decision: 27.07.2017

Deepak Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhishek Singla, Advocate
for the petitioner.

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.647 dated 07.09.2009 registered for offences punishable under Sections 325, 323 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Kotwali Bathinda, District Bathinda.

Heard.

The petitioner was facing trial for offences punishable under Sections 325 and 323 read with Section 34 IPC. He absented during pendency of the case and was declared proclaimed offender vide order dated 10.06.2017 and has been arrested on 29.03.2017.

The offence for which petitioner was facing trial are bailable. He is in custody for the last about four months and has suffered for his absence during the trial.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take

considerably long time, the present petition is allowed. Petitioner-Deepak Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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