

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19009-2017

Date of Decision: 30.5.2017

Ranjit Singh @ Tota

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.K.S.Phoolka, Advocate
for the petitioner.

Mrs. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

Learned counsel for the petitioner at the very outset submits that in the headnote of the petition, offence under Sections 458 and 34 IPC has been mentioned while in fact, FIR has been registered for offence punishable under Sections 458 and 324 IPC. Due to clerical mistake, offence under Section 324 IPC has been mentioned as 34 IPC.

In view of the submission of the counsel for the petitioner, headnote of the petitioner is ordered to be rectified. Offence mentioned as Section 34 IPC be read as 324 IPC. Registry is directed to make necessary corection in the headnote of the petition.

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.92 dated 3.11.2016 registered for the offences punishable under Sections 458, 324 of Indian Penal Code (for short, "IPC") at Police Station Sadar Bathinda, District Bathinda.

Notice of motion.

On the asking of the Court, Ms. Bhavna Gupta, DAG, Punjab,

who is present in 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 her.

As per prosecution case, the petitioner committed lurking house tresspass into the house of the complainant and caused her injuries with knife for which a case for offence punishable under Sections 458 and 324 IPC was registered against him.

The petitioner was arrested on 4.1.2017 and after completion of investigation, challan has been presented.

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-Ranjit Singh @ Tota 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 30, 2017

Paritosh Kumar

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No