

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19348 of 2017
Date of Decision: 01.06.2017

Kuldeep Kumar @ Sunny Nai

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Om Pal Sharma, Advocate
for the petitioner.

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. 57 dated 20.08.2014 registered for offences punishable under Sections 307, 451, 324, 506, 427, 148 and 149 of Indian Penal Code (for short, "IPC") at Police Station Division No. 3, Ludhiana, District Ludhiana.

Heard.

Notice of motion.

On asking of the court, Mr. Jashanpreet Singh, 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.

The petitioner was earlier allowed bail vide order dated 14.10.2014. However, during trial he absented and was declared proclaimed offender. He has since been arrested and is in custody since June, 2016.

It has been submitted that trial against other co-accused of petitioner is still continuing and challan against the petitioner is yet to be

filed.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that presentation of challan and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Kuldeep Kumar @ Sunny Nai 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

June 01, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No