

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-19868 of 2017 (O&M)
Date of Decision: September 14, 2017.**

Sham Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Gurvir Kaur Gill, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G., 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. 69 dated 11.05.2009 registered for the offences punishable under Sections 379, 427, 506, 148 read with Section 149 of Indian Penal Code at Police Station Badhni Kalan, District Moga.

Heard.

Learned counsel for the petitioner submits that the petitioner was arrested on 31.12.2016 and is in custody since then. The other co-accused have already been acquitted by the trial Court vide judgement dated 02.01.2016.

Keeping in view the above facts but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner

Sham Singh 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

September 14, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***