

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-20035 of 2017
Date of Decision: 13.07.2017

Sukhwinder Singh @ Kaka

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, 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.75 dated 20.10.2015 registered for offences punishable under Sections 307, 452, 324, 323, 148 read with Section 149 of Indian Penal Code (for short, "IPC") at Police Station Phul, District Bathinda.

Heard.

The petitioner faced trial for offences punishable under Sections 307, 452, 324, 323, 148 read with Section 149 IPC on the allegation that he had caused injury on the head of Chamkaur Singh, his brother-in-law.

Admittedly, there was matrimonial discord between complainant and his wife (sister of petitioner). The petitioner was arrested in this case on 14.07.2016 and is in custody since then. Statement of complainant and his mother, who is eye-witness in this case, have since been recorded by the trial Court.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that recording of statements of witnesses and then conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sukhwinder Singh @ Kaka 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 13, 2017

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No