

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

**CRM-M-20535 of 2017**  
**Date of Decision: 31.07.2017**

Gurpiar Singh @ Gabbar

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Sumeet Puri, Advocate  
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

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**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. 53 dated 24.06.2015 registered for offences punishable under Sections 307 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Sadar Sangrur, District Sangrur.

Heard.

The petitioner had absented on 05.12.2016. The order passed by learned trial Court declining him regular bail shows that he was in custody in some other case and was called to Court by issuing his production warrants. Though, no date has been mentioned as to when the petitioner was taken into custody in this case after his absence but it appears that he is in custody for the last about 3 months as his regular bail was declined in May, 2017.

Keeping in view above facts and that conclusion of trial will take considerably long time but without expressing any opinion on merits of

the case, the present petition is allowed. Petitioner-Gurpiar Singh @ Gabbar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 31, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No