

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-22975 of 2017
Date of Decision: 12.07.2017

Randeep Kumar @ Monu Pandit

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bhupinder Ghai, 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.81 dated 27.09.2015 registered for the offence punishable under Section 25 of the Arms Act at Police Station Rawalpindi, District Kapurthala.

Heard.

Notice of motion.

On asking of the court, Mr. Ajay Pal Singh Gill, DAG, 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 on bail in this case and did not appear before the trial Court on 20.12.2016 and his non-bailable warrants were issued. Thereafter, he moved application seeking pre-arrest bail, which was declined. Then he came to this Court and was directed to surrender before the trial Court and move application under Section 439 Cr.P.C., which was also declined and he was taken into custody on 31.05.2017. The petitioner

after his absence has remained in custody for a period of 1 ½ month and has suffered for the lapse on his part.

In view of above but 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-Randeep Kumar @ Monu Pandit 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 12, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No