

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-22978 of 2017
Date of Decision: 24.07.2017**

Lakhbir Singh @ Babbu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Sekhon, 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.05 dated 10.01.2014 registered for offences punishable under Sections 420, 406 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Longowal, District Sangrur.

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 but he absented on 08.02.2017 and was declared proclaimed offender on 10.04.2017. He surrendered before the police on 16.05.2017 and is in custody since then. Trial of the case has not concluded so far.

Learned State counsel submits that the prosecution has

examined 2 out of 22 witnesses.

Keeping in view the fact that trial in this case is in progress and the petitioner has suffered for his absence for about 3 months, the present petition is allowed. Petitioner-Lakhbir Singh @ Babbu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 24, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No