

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23174 of 2017
Date of Decision: 11.07.2017

Ravi Kumar @ Ravi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Veneet Sharma , 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.72 dated 16.03.2017 registered for offences punishable under Sections 307, 323, 324, 148 read with Section 149 of Indian Penal Code (for short, “IPC”) and 25/27 of the Arms Act, at Police Station Sadar, Amritsar City, District Amritsar.

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 is not named in the FIR. Learned State counsel submits that the petitioner has been nominated in this case as accused during investigation. However, no specific role has been attributed to him.

Learned counsel for the petitioner submits that complainant has

given his affidavit, copy of which has been placed on file as Annexure P-2, wherein he has categorically stated that the petitioner is innocent and was not involved in the occurrence that took place on 15.03.2017.

Keeping in view the fact that no specific role has been attributed to the petitioner and he has also not been named in the FIR but without expressing any opinion on merits of the case and taking into account the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Ravi Kumar @ Ravi 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 11, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No