

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26309 of 2017
Date of Decision: 31.07.2017

Bakshish Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Jaswal, 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.970 dated 09.09.2016 registered for offences punishable under Sections 186, 307, 332, 353, 379, 411, 427 read with Section 34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Chandni Bagh, District Panipat.

Heard.

Notice of motion.

On asking of the court, Mr. Amrik Narwal, DAG, Haryana, 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.

As per case of prosecution, petitioner, who was going alongwith two persons in Innova car bearing registration no. DL-ENE-5606, fired at police party, which gave signal to stop the vehicle.

The petitioner was arrested in this case on 14.12.2016 and

challan against him has been presented in Court.

Learned State counsel submits that seven out of 18 witnesses have already been examined.

It is a no injury case. Witnesses in this case are police officials and there are no chances of petitioner prevailing upon them.

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-Bakshish Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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