

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27117 of 2017
Date of Decision: 08.08.2017

Stephen @ Seepu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Rana Ghuman, 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.19 dated 11.02.2017 registered for offences punishable under Sections 307, 148 read with Section 149 of Indian Penal Code (for short, "IPC") and 25/27 of the Arms Act at Police Station Makhu, District Ferozepur.

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.

As per case of prosecution, a police party on the basis of secret information conducted raid at the house of petitioner, where it came under attack. The petitioner alongwith his associates was arrested from the spot on 11.02.2017 and a weapon i.e. .315 bore alongwith five live cartridges were recovered from his possession. The police registered a case for

offences punishable under Sections 307/148/149 IPC and 25/27 of the Arms Act.

Learned State counsel submits that after completion of investigation, police has presented the challan in Court and the trial is in progress.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

August 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No