

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27786 of 2017
Date of Decision: 08.08.2017

Noyia @ Babblu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Paramjit Singh Jammu, 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.65 dated 25.06.2014 registered for the offence punishable under Section 25 of the Arms Act, at Police Station GRP, Bathinda, District Bathinda.

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 earlier on bail but absented during the trial. Thereafter, he was declared proclaimed offender vide order dated 23.03.2017 passed by the trial Court. He was arrested on 15.04.2017 and since then he is in custody.

Allegation against the petitioner is that a spring actuated knife was recovered from his possession.

Keeping in view the fact that the petitioner after his absence has remained in custody for a period of more than 3 ½ months and has suffered for the lapse on his part, the present petition is allowed. Petitioner-Noyia @ Babblu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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