

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29324 of 2017
Date of Decision: 21.08.2017

Gagandeep @ Gagan

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ranjodh Singh Sidhu, 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.81 dated 20.10.2016 registered for offences punishable under Sections 307, 382, 427 and 506 read with Section 34 of Indian Penal Code (for short, "IPC") and 25/27 of the Arms Act, at Police Station Chabhal, District Tarn Taran.

Heard.

Notice of motion.

On asking of the court, Ms. Rajni Gupta, Sr. 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 her.

As per case of prosecution, complainant was going from Amritsar to Khalra Grain Market in his car. On the way he stopped his car at Bus stand Chabal to buy fruit. Petitioner came there with pistol in his hand. He broke glass of front window and dragged nephew of complainant

outside. He picked up .315 bore gun of complainant lying in the car and fired shot towards him, which missed.

The petitioner was arrested in this case on 01.02.2017. It is a no injury case and after completion of investigation, challan has been presented by the police. The case is stated to be pending for 12.09.2017 for prosecution evidence.

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-Gagandeep @ Gagan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No