

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-32884 of 2017
Date of Decision: 25.10.2017

Harshdeep Singh @ Shery

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Punia, Sr. Advocate with
Ms. Harveen Kaur, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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.448 dated 02.11.2016 registered for offences punishable under Sections 148, 149, 323, 324, 307, 506 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Ambala City, District Ambala.

Heard.

Learned counsel for the petitioner has placed on file certified copy of statement of Krishan Walia, injured, who has not supported case of prosecution. Earlier complainant has also not supported the case of prosecution and has turned hostile.

Learned counsel for the petitioner submits that the complainant and injured are the only material witnesses in this case and both have not supported the prosecution version.

Learned State counsel on instructions from ASI Jaspal Singh submits that complainant as well as injured witnesses have not supported

the prosecution case and the other witnesses against the petitioner are formal witnesses.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

October 25, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No