

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34407 of 2017
Date of Decision: 02.12.2017

Harpreet Singh @ Happy

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajeev Sharma, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. D.A.G., Punjab

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.119 dated 21.10.2016 registered for offences punishable under Sections 323, 324, 506, 148 read with Section 149 of Indian Penal Code (for short, "IPC") at Police Station Kartarpur, District Jalandhar. (Offence punishable under Section 326 IPC was added later on).

Status report from the trial Court has not been received.

Heard.

Learned State counsel submits that in the occurrence that took place on 17.10.2016 at about 08.45 a.m., complainant and Pawan Kumar were caused injuries by petitioner and his co-accused. 12 injuries were suffered by complainant while 8 injuries were suffered by Pawan Kumar out of which one injury on the little finger of complainant was declared grievous in nature and that injury was attributed to co-accused, namely, Saleem. The petitioner has not been attributed any grievous injury on the

person of complainant. However, this fact appears to have been wrongly mentioned in the order of Court below.

Learned counsel for the petitioner submits that other accused in this case are on bail including Saleem, who has been attributed grievous injury.

The petitioner is in custody since 02.06.2017. The police after completion of investigation has presented the challan in Court.

Keeping in the view the fact that other co-accused including Saleem, who has been attributed grievous injury, are on bail and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Harpreet Singh @ Happy 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

December 02, 2017

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No