

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**

**CRM-M-35785 of 2017**

**Date of Decision: 26.10.2017**

Sarmukh Singh @ Tota @ Baba @ Gurmukh Singh ....Petitioner

**VERSUS**

State of Punjab ....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Brijeshwar Singh Bhalia, Advocate  
for the petitioner.

Mr. V.G. Jauhar, Sr. D.A.G. Punjab

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**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.89 dated 28.02.2010 registered for offences punishable under Sections 379, 411, 420, 467, 468, 471 and 413 of Indian Penal Code (for short, "IPC") at Police Station Division No. 5, Ludhiana.

Heard.

Custody certificate dated 03.10.2017, produced by learned State counsel is taken on record.

The petitioner was on bail in this case and had absented before the trial Court on 16.05.2017. As per custody certificate, he was arrested on 26.05.2017 and is in custody since then.

Keeping in view the period of incarceration of petitioner and the period of his absence before the trial Court, the present petition is allowed. Petitioner-Surmukh Singh @ Tota @ Baba @ Gurmukh Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 26, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No