

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-385 of 2017

Date of Decision: 10.08.2017

Balwinder Singh @ Bhinda

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S. Thakur, Advocate
for Mr. A.S. Khinda, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, 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.260 dated 31.10.2015 registered for offences punishable under Sections 307, 452, 323, 324, 506, 336, 148 read with Section 149 of Indian Penal Code (for short, "IPC"), 25 of the Arms Act at Police Station Kapurthala City, District Kapurthala. (Offence punishable under Section 326 IPC was added later on).

Heard.

As per case of prosecution, the incident took place on 30.10.2015 at about 08.30 p.m., in which petitioner alongwith his co-accused caused injuries on the person of complainant. The petitioner was attributed two *datar* blow injuries on the person of complainant out of which one was declared dangerous to life.

Learned State counsel submits that the police after completion of investigation presented the challan long back but the case is still at the

stage of framing of charge.

Learned counsel for the petitioner submits that the petitioner was not produced by jail authorities from time to time which has resulted in delay in considering the framing of charge by the trial Court.

Keeping in view the fact that investigation of the case is complete and that conclusion of challan and trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Balwinder Singh @ Bhinda 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 10, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No