

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

**Crl. Misc. No.M-39815 of 2017 (O&M)
Date of Decision: December 13, 2017.**

Tarun Kumar

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Jaswal, Advocate
for the petitioner (s).

Ms. Seena Mand, 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. 68 dated 18.05.2017 registered for the offence punishable under Section 324 of Indian Penal Code (for short IPC) (Section 307 IPC added later on) at Police Station Haibowal, Ludhiana.

Heard.

The FIR in this case was registered on the statement of Shivani wife of petitioner, wherein she has alleged that the petitioner caused injuries on her neck, near the ear and right thumb with knife.

Learned counsel for the petitioner submits that all the injuries were declared simple in nature and were having superficial cuts and skin deep. None of the injury was declared either grievous or dangerous to her

life. The petitioner was arrested in this case on 03.06.2017 when the offence punishable under Section 307 IPC was added in this case by the police. He further submits that the statement of complainant has already been recorded in this case by the trial Court.

Learned State counsel on going through the police file submits that all the injuries on the person of complainant were simple in nature.

Keeping in view the above facts and that the conclusion of trial will take considerable long time, the present petition is allowed. Petitioner Tarun Kumar 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

December 13, 2017

Sachin M./Jyoti-II

**(SURINDER GUPTA)
JUDGE**

***Whether speaking/reasoned:
Whether Reportable:***

***Yes/No
Yes/No***