

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-41763 of 2017

Date of Decision: 16.11.2017

Taranpreet Singh @ Taran Randhawa @ Titly

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Brar, Advocate
for the petitioner.

Mr. Sandeep Kumar, 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.193 dated 10.09.2017 registered for offences punishable under Sections 379-B, 323, 427, 148, 149, 506 of Indian Penal Code (for short, "IPC") at Police Station Sadar Khanna, District Ludhiana. (Offence punishable under Section 307 IPC was added later on).

Heard.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR. The incident allegedly took place on 09.09.2017. It was on 20.09.2017 that the petitioner was named by Baljit Singh in his supplementary statement. Though, supplementary statement of Baljit Singh is on file but it is still doubtful that whether it was recorded on 20.09.2017 as in his report dated 29.09.2017, SHO, Police Station Khanna has named only Mandeep Sharma and Ravi Sharma and not the petitioner. He has placed on file copy of report sent by the SHO to higher authorities.

Keeping in view the fact that the name of petitioner cropped up in the supplementary statement of Baljit Singh recorded after 11 days of incident and his name was not in the special report sent by SHO, Khanna, but without expressing any opinion on merits of the case, and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Taranpreet Singh @ Taran Randhawa @ Titly 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 16, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No