

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

**Crl. Misc. No.M-41819 of 2017 (O&M)
Date of Decision: November 15, 2017.**

Shinder Singh @ Lali

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Sekhon, Advocate
for the petitioner (s).

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.12 dated 12.03.2015 registered for the offences punishable under Sections 307, 341, 382, 427, 323 read with Section 34 of Indian Penal Code at Police Station Sherpur, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Pawar, Sr. D.A.G., Punjab who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per case of prosecution, the car of the complainant was

followed by another car bearing No.PB-13AA-9452 driven by Kamalpreet Singh. The petitioner, armed with lathi, Gurwinder Singh armed with iron rod, Gurmukh Singh armed with iron punch alighted from their car and broke the front glass of car of the complainant. Kamalpreet Singh broke the left window-pane of the car while Gurwinder Singh broke the rear window-pane. He also gave an iron punch on the face of complainant and then forcibly snatched ₹5,000/- from the front pocket of his shirt.

Petitioner was initially declared proclaimed offender and arrested on 02.08.2017. His co-accused Kamalpreet was allowed anticipatory bail vide order dated 21.07.2015 passed in CRM-M-11958-2015, whereas co-accused Gurwinder Singh was allowed regular bail vide order dated 07.10.2015 passed in CRM-M-33637-2015. The petitioner has not been attributed any injury to the complainant.

Keeping in view the above facts but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Shinder Singh @ Lali is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 15, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>