

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-43746-2016

Date of Decision : 09.01.2017

Beera Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

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. 22 dated 08.04.2015, registered for offences punishable under Sections 326, 323, 148 and 149 IPC at Police Station Bhindi Saidan, District Amritsar.

Heard.

Notice of motion.

On asking of the Court, Ms. Bhavna Gupta, DAG, 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 her.

Learned counsel for the petitioner submits that the petitioner was arrested in this case on 01.10.2016. The challan has been presented and the charges have been framed. His custodial interrogation is not required. The incident was of 11.08.2014 for which FIR was registered after a lapse of about eight months on 08.04.2015.

Learned State counsel submits that after framing of the charge,

the case is fixed for evidence for 21.01.2017.

Without expressing any opinion on merits of the case and the fact that the challan has been presented and custodial interrogation of the petitioner is not required, the present petition is allowed. Petitioner-Beera Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

January 09, 2017
jk

(SURINDER GUPTA)
JUDGE