

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45909 of 2017
Date of Decision: 08.12.2017

Sandeep Jassal @ Kali

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Navjinder Singh Sidhu, 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.36 dated 17.02.2017 registered for offences punishable under Sections 379-B/323/341/506/384/148/149 of Indian Penal Code (for short, "IPC") at Police Station Division No. 1, District Ludhiana.

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Panwar, Sr. 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 him.

Learned State counsel submits that allegation against petitioner is that he alongwith some persons has formed a gang to extort money from small shop-keepers/vendors in the area of Guru Teg Bahadur Market (Lottery Market) near Clock Tower, Ludhiana. Complainant was given beatings by the gang of petitioner for refusing to pay to them as a result of

which he left his business. On 16.02.2017 at about 02.00/02.30 pm, complainant had gone to said market, where he was caught and beaten up by petitioner and his other gang members. They also snatched mobile phone and cash of ₹400/- from him. After giving beating, they left complainant at the spot.

Learned counsel for the petitioner submits that complainant is a police tout, who has involved petitioner in several cases. Rajinder Singh has been named as main accused and gangster, who has been released on bail by the trial Court under Section 167 (2) Cr.P.C., as the police did not file challan against him in time.

Keeping in view facts of the case as discussed above and that the police after completion of investigation has presented the challan in Court and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sandeep Jassal @ Kali 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.

December 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable	Yes/No
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