

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

**Crl. Misc. No.M-46746 of 2017 (O&M)
Date of Decision: December 14, 2017.**

Harpreet Singh @ Happy

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Manuj Nagrath, Advocate
for the petitioner (s).

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. 21 dated 25.02.2017 registered for the offences punishable under Sections 326, 148 read with Section 149 of Indian Penal Code (for short IPC) (Section 307 read with Section 120-B IPC added later on) at Police Station Model Town, District Hoshiarpur.

Heard.

Notice of motion.

On asking of the court, Ms. Seena Mand, 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.

The petitioner was arrested in this case on 24.04.2017. As per the prosecution version, the occurrence took place on 25.02.2017, when the complainant was caused injury by some unidentified persons. The petitioner was nominated in this case on the basis of CCTV footage, which was taken

from the nearby shop, where he was clearly seen causing injury to the complainant. As per the medical report, petitioner had suffered only one injury which was traumatic amputation of right thumb. There was no other injury on the person of the complainant.

Learned State counsel submits that the challan has been presented by the police in this case on 21.07.2017 and the case is fixed for 05.01.2018 for framing of charge.

Keeping in view the fact that the conclusion of the trial will take considerable long time and no useful purpose would be served by keeping the petitioner further in custody, this petition is allowed. Petitioner Harpreet Singh @ Happy 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 14, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No