

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

**Crl. Misc. No.-20836 of 2017 in/and
Crl. Misc. No. M-5502 of 2017 (O&M)
Date of Decision: July 14, 2017**

Harpreet Singh

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Jaswal, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

CRM-20836-2017

This is application for placing of record Annexure P-4 (colly), which is taken on record, subject to all just exceptions.

Application stands disposed of accordingly.

CRM-M-5502-2017

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.970 dated 09.09.2016 registered for the offences punishable under Sections 186, 307, 332, 353, 379, 411, 427 read with Section 34 of Indian Penal Code (for short IPC) and Section 25 of Arms Act at Police Station Chandni Bhagh, District Panipat.

Heard.

Learned counsel for the petitioner submits that offence punishable under Section 307 IPC was incorporated in the FIR on the allegations that two persons going in Innova Car bearing registration No. DL-4CNE-5606, fired at police party, who gave signal to stop their car.

Fire shots were attributed to Bakshish Singh and recovery of country made pistol was also effected from him.

Learned State counsel also endorses the submission of learned counsel for the petitioner to the extent that the fire shot is attributed to co-accused Bakshish Singh and recovery of fire arm was effected from him and no recovery was effected from the petitioner.

The petitioner was arrested on 09.09.2016 and after the completion of investigation, the police presented the challan on 01.10.2016. It has been stated that 14 out of 18 witnesses have already been examined by the prosecution.

Keeping in view the above facts and role of the petitioner, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Harpreet Singh 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

July 14, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No