

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-6487 of 2017

Date of Decision: 08.08.2017

Sunil Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Hargobinder Gill, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, 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.121 dated 11.04.2016 registered for offences punishable under Sections 307, 324 and 506 of Indian Penal Code (for short, "IPC") at Police Station City Barnala, District Barnala.

Heard.

As per case of prosecution, the occurrence took place on 10.04.2016, when petitioner, who was under the influence of liquor, had a quarrel with Gurmail Singh and Dharam Pal. He was armed with iron *parkhi* and gave blow in the stomach of Gurmail Singh. Injury on the person of Gurmail Singh was declared dangerous to life and he was arrested on 04.06.2016.

Learned counsel for the petitioner submits that all the four material witnesses including complainant and injured have been examined and the case is now fixed for statements of official and formal witnesses.

Keeping in view the fact that petitioner is in custody for the last more than one year, prosecution has examined all the material witnesses and that conclusion of trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Sunil Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No