

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-13950 of 2018
Date of Decision: 09.08.2018

Partap Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ripudaman Singh Sidhu, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, 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.102 dated 25.08.2017 registered for offences punishable under Sections 307/353/186/148/149 of Indian Penal Code (for short, "IPC") and 25/27 of the Arms Act, at Police Station Kotbhai, District Sri Muktsar Sahib.

Heard.

As per case of prosecution, petitioner was member of unlawful assembly, which fired towards police party in order to prevent it to discharge its official duty.

It is a no injury case. The petitioner was arrested on 25.08.2017 and is in custody since then.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Partap Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 09, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No