

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21322 of 2018
Date of Decision: 09.07.2018

Sukhdev Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Sandeep Kumar, 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.17 dated 10.04.2018 registered for offences punishable under Sections 353, 186, 332 of Indian Penal Code (for short, "IPC") and 61 (1) of Punjab Excise Act, 1914 at Police Station Division no. 1, Pathankot.

Heard.

As per case of prosecution, the petitioner was apprehended with 12 bottles of English Wine brand "Imperial Blue". During the process of apprehending him, he caused injuries on the person of Constable Sukhdeep Singh with his nails. Thereafter, on his disclosure statement recovery of another consignment of liquor in 47 cartons having 12 bottles each was effected.

The petitioner was arrested on 10.04.2018 and is in custody since then. After completion of investigation challan has already been presented against him on 08.06.2018 and charges have also been framed on

11.06.2018.

Without expressing any opinion on merits of the case and keeping in view the period of incarceration of petitioner, nature of allegation against him and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sukhdev 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 09, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No