

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

CRM-M-24912-2018 (O&M)

Date of decision : 19.12.2018

Dilbagh Singh @ Bagha

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Satwant Mehta, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Satbir Singh, Advocate for complainant.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

This is a petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the present petitioner in case FIR No. 101 dated 17.9.2015 under Sections 307, 324, 325, 326, 148, 149 and 120-B of the Indian Penal Code and Sections 25/27/54/59 of the Arms Act registered at Police Station Jhabal, District Taran Taran.

Petitioner is alleged to have fired gun shot at injured-Dhanbir Singh and as a result of which, right leg of Dhanbir Singh has been amputated. The petitioner was arrested on 19.12.2015 and is in custody since then.

As per the custody certificate filed in Court today, total custody period undergone by the petitioner comes to 02 years 08 months and 19 days as on 2.7.2017 which means now custody is more than 03 years.

Learned State counsel has not disputed that in this case injured-complainant and the material witnesses have been examined and no other case is pending or registered against the present petitioner.

It being so, there is no ground for further detention of the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs. 1,00,000/- with one surety of the like amount to the satisfaction of the trial Court/Duty Magistrate concerned subject to following conditions: -

- (1) Petitioner shall surrender his passport before the trial Court, if any, and shall not leave the country without prior intimation to the Court;
- (2) Petitioner shall not directly or indirectly give any inducement or threat or promise to any witness and
- (3) Petitioner shall attend the Court on each and every date of hearing before the trial Court and in case of his absence, trial Court shall be competent to cancel his bail.

Petition stands allowed accordingly.

(KULDIP SINGH)
JUDGE

19.12.2018
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Whether speaking / reasoned
Whether Reportable:

Yes/No
Yes/No