

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

CRM-M-30235-2018

Date of decision: November 29, 2018

Heera Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Maninder Singh Bajwa, Advocate
for the petitioner.

Mr. C.L. Pawar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Heera Singh in case FIR No.129 dated 24.10.2017 registered for the offences punishable under Sections 395, 341, 506 of Indian Penal Code, 1860 (for short, "IPC") and Sections 25 and 27 of Arms Act, 1959 at Police Station Islamabad, District Amritsar.

Heard.

It is the case of the prosecution that in the intervening night of 23/24.10.2017 at about 12:25 a.m., a lady having abdominal pain was allowed to enter the house of the complainant who is a medical practitioner. She was accompanied by one young person. Thereafter, the said young person went outside and after few minutes, 5-6 unknown person having muffled faces came inside and started inflicting injury to doctor and looted Rs.10,000/- cash from his cash box and they entered into bedroom and committed theft of Rs.1.50 lacs from almirah along with 12 tolas of gold ornaments. They also took away mobile phone and DVR of CCTV camera.

After arrest of the petitioner, amount has been recovered from him.

It has also been argued that Heera Singh is also lodged in some other case vide FIR No.184 dated 23.12.2017 under Sections 379, 411, 120-B of the Indian Penal Code and Section 25 of Arms Act registered at Police Station Jaito.

Keeping in view facts and circumstances of the case and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

November 29, 2018
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No