

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No.M-30605 of 2018 (O&M)
Date of decision : 26.07.2018

Husandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, 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 the petitioner in case FIR No.26 dated 26.04.2018, registered under Sections 307, 120-B, 34 IPC and Section 25 of the Arms Act at Police Station Mehta District Amritsar Rural.

It is a case of the prosecution that on 26.03.2018 at about 2:00 p.m., the complainant Rachhpal Singh alongwith his son Gurtaj Singh and wife Harjit Kaur was present in his house. In the meanwhile, his co-villagers Jagga and Raman armed with pistol, Jaggu and Nikku armed with datar, Rantej armed with kirpan, alongwith four unidentified persons came there. They inflicted injuries to the complainant and his son.

The name of the petitioner is not mentioned in the FIR. He has been arrayed as an accused solely on the ground that he drove the car in which the accused persons escaped from the spot.

The petitioner is in custody since 16.05.2018. The trial of the case will take long time. No useful purpose will be served by keeping the

petitioner in custody any further.

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 Husandeep Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

26.07.2018
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No