

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-31160 of 2018 IN/AND
CRM-M-33253 of 2018
Date of Decision: 05.09.2018**

Deepinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gurbir Singh Toor, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

CRM-31160-2018

This is application seeking correction in the headnote and prayer clause of the petition.

Application, which is supported by affidavit, is allowed. In the headnote, offences mentioned as Sections 25, 27, 54 and 59 of the Arms Act be read as Sections 25 and 27 of Arms Act and similar correction be also made in prayer clause by including Sections 25 and 27 of the Arms Act. Registry to do the needful.

CRM-M-33253-2018

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.28 dated 14.04.2014 registered for offences punishable under Sections 307/34 of Indian Penal Code (for short, "IPC") and 25/27 of the Arms Act, at Police Station City Raikot, District Ludhiana.

Heard.

Learned counsel for the petitioner submits that as per allegations in the FIR, one Jaspreet Singh @ Jassu had fired at complainant. The petitioner was nominated in this case on the basis of supplementary statement of complainant, wherein it is recorded that petitioner had fired at complainant. While appearing as PW-1 before the trial Court, complainant has stated that he had not got recorded in his statement that petitioner fired at him. He again reiterated his version given in the FIR and stated that the bullet, which hit lower portion of his leg, was fired by Jaspreet Singh @ Jassu.

The petitioner is in custody since 21.05.2018 and challan against him has been presented in Court on 21.07.2018. It is submitted that till date only one witness has been examined.

In view of above but 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-Deepinder 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.

September 05, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No