

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34361 of 2018
Date of Decision: 16.08.2018

Punit Sharma

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Navratan Singh, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. 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.205 dated 29.12.2017 registered for offences punishable under Sections 323/307/148/149 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Heard.

As per case of prosecution, complainant alongwith his friend Prince was going on his motorcycle towards Mata Chintpurni, when a Ford Figo car crossed them and gave him signal to come ahead. Out of fear complainant took U-turn and when he reached near Adampur, the same Ford Figo car and one Alto K-10 car came there and driver of Alto K-10 car hit motorcycle of the complainant from behind as a result of which he alongwith his friend fell on the road and in order to save themselves they ran towards fields. Accused-Dona fired shots towards complainant but he was not hit.

The petitioner is not named in the FIR. He was arrested on 01.05.2018. No specific role in the FIR has been attributed to him.

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-Punit Sharma 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 16, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No