

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34386-2018

Date of Decision: 1.11.2018

Gopal Singh @ Gopal Ram

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ajay Arora, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Gaurav Kalsi, Advocate,
for the complainant.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, “Cr.P.C”.) for grant of regular bail to the petitioner in case FIR No.205 dated 16.8.2017 registered for the offences punishable under Sections 302, 342, 323, 325, 148, 149 of Indian Penal Code (for short, “IPC”) at Police Station Lambi, District Sri Muktsar Sahib.

Heard.

The allegation against the petitioner is that he along with his associates caused murder of Deepak Tewari alias Shoki and one more person namely Sukhjinder Singh also suffered injury.

As per version of the prosecution, the petitioner was empty handed and did not cause any injury. It has been submitted that all the assailants had given blow on the body of the deceased as well as one

Sukhjinder Singh with their respective weapons but the petitioner was not having any weapon and was empty handed. All the material witnesses including the complainant have been examined.

The petitioner is in custody since 23.3.2018.

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-Gopal Singh @ Gopal Ram son of Somi Ram is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 1, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No