

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-36140 of 2018
Date of Decision: 08.10.2018

Amit Kalyan

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

Mr. Sandeep Kumar, 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 allegations in the FIR, petitioner was driving Alto K-10 car, which hit motorcycle of the complainant, resulting in serious injuries to the complainant. The petitioner was arrested on 30.04.2018 and after completion of investigation challan against him was presented in Court.

Learned State counsel on instructions from ASI Jasbir Singh submits that other accused in this case are yet to be arrested. And the car which hit motorcycle of the complainant is also yet to be recovered.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

October 08, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No