

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38175 of 2018
Date of Decision: 06.09.2018

Jassa Singh and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Veneet Sharma, Advocate
for the petitioners.

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 petitioners in case FIR No.24 dated 07.07.2018 registered for offences punishable under Sections 307/353/186/332/144/148/149 of Indian Penal Code (for short, "IPC") at Police Station Kacha Pacca, District Tarn Taran.

Heard.

As per case of prosecution, petitioners tried to strangulate Constable Nishan Singh with a piece of cloth (*parna*) and also caused him injuries. They were apprehended at the spot while their accomplices succeeded in running away from there.

Learned counsel for petitioners submits that it was a minor scuffle with the police and FIR for the offence punishable under Section 307 IPC has been registered for simple injuries caused to Constable Nishan Singh.

Custody certificate produced by learned State counsel shows

that petitioners were arrested on 07.07.2018. Other co-accused are yet to be arrested.

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. Petitioners, namely, Jassa Singh and Baljinder Singh @ Balwinder Singh are 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) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

September 06, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No