

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-38776-2017 (O&M)
Date of decision: 22.05.2018**

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.S. Sidhu, Advocate,
for the petitioner.

Mrs. Anju Arora, Addl. Advocate General, Punjab.

Mr. D.N. Ganeriwala, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 57 dated 06.05.2016 under Section 304-B IPC registered at Police Station Nehianwala, District Bathinda.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case and he has been in custody since 06.05.2016. Learned counsel for the petitioner submits that the material witnesses have since been examined and for offence under Section 304-B IPC the maximum sentence would have been seven years. It is also submitted that the trial is likely to take some time.

Mrs. Anju Arora, learned Addl. Advocate General, Punjab appearing on behalf of the respondent-State opposes the grant of regular

bail, however, is not in a position to rebut the fact that out of total 14 witnesses only five have been examined so far.

I have heard learned counsel for the parties and in view of the fact that the petitioner herein has been in custody since 06.05.2016 and the trial is likely to take some time to conclude, without expressing any opinion on merits of the case, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

22.05.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.