

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

Criminal Misc.No.M-40756 of 2018 (O&M)

Date of Decision : 15.12.2018

Sandeep Saini

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. G.B.S.Dhillon, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, 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.68 dated 17.07.2017, registered under Section(s) 302/34 IPC at Police Station Sector Division No.3, District Ludhiana.

It has been submitted that except CCTV footage, there is no evidence against the petitioner.

Learned State counsel has stated that in CCTV footage, the petitioner was seen, going on motorcycle.

Heard. The case is based on circumstantial evidence. The material witnesses have already been examined. The petitioner is in custody since 18.07.2017. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody any further.

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- (b) *In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

15.12.2018
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No