

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

CRM-M-41187-2018 (O&M)

Date of decision: 25.10.2018

Simarjit Singh

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. R.K.Arya, Advocate.
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. G.S.Rawat, Advocate, for
Mr. Sandeep Arora, Advocate,
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in complaint case No.120 dated 22.9.2011 filed under Sections 452, 323, 324, 506, 500, 148, 149 of Indian Penal Code (for short, "IPC") pending before learned Additional Chief Judicial Magistrate, Gurdaspur.

Heard.

A complaint was filed against the petitioner and four other persons. However, the petitioner was declared proclaimed offender vide order dated 9.9.2016 and the remaining persons facing trial were acquitted vide judgment dated 18.2.2017 (Annexure P-1).

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. In the event of arrest of petitioner-Simarjit Singh son of Rachan Singh, he be released on interim bail subject to the satisfaction of the learned trial Court and 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 25, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No