

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-4475-2018 (O&M)

Date of Decision: 27.3.2018

Jugraj Singh @ Sukhraj Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Satwant Mehta, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure (for short, "Cr.P.C.) for grant of regular bail to the petitioner in case FIR No.65 dated 20.7.2017 registered for the offences punishable under Sections 302, 307, 148, 149 of Indian Penal Code (for short, "IPC") read with Section 25/27 Arms Act at Police Station Khalra, District Tarn Taran.

Heard.

Learned counsel for the petitioner submits that the name of the petitioner is not mentioned in the FIR. However, he was arraigned solely on the ground that co-accused in his disclosure statement named his name. No injury has been attributed to him. The petitioner is in custody since 25.7.2017.

Learned State counsel submits that one *kahi* (spade) was recovered from the petitioner. However, it is conceded by the learned State counsel that said *kahi* was never used in the commission of crime. He

further states that no witness has been examined.

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-Jugraj Singh @ Sukhraj Singh is ordered to be released on regular bail subject to the conditions, if any, and on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

March 27, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No