

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

CRM-M-45034-2018

Date of decision: October 17, 2018

Jaswinder Singh @ Jassi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Harkeerat Singh, Advocate
for the petitioner.

Mr. Rajesh Bhardwaj, Senior 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 petitioner-Jaswinder Singh @ Jassi in case FIR No.378 dated 19.11.2015 registered for the offences punishable under Sections 302, 120-B of the Indian Penal Code, 1860 (for short 'IPC') at Police Station Focal Point, District Ludhiana.

Heard.

The allegation against the petitioner was that he was the owner of the area in the house and having grudge against the deceased and he instigated the main accused.

Petitioner is in custody for the last more than one year, three months and twenty six days. He has to support his family and kids. Complainant has expired.

It has been submitted that out of 21 witnesses, only 03 witnesses have 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, no useful purpose would be served by keeping the petitioner behind

the bars, therefore, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

October 17, 2018
m. sharma

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