

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45258 of 2018
Date of Decision: 17.10.2018

Parmod Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

Mr. Amrik Narwal, DAG, Haryana.

SURINDER GUPTA, 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.113 dated 06.08.2018 registered for offences punishable under Sections 279/336/427/307 of Indian Penal Code (for short, "IPC") and 27 of the Arms Act, at Police Station Buria, District Yamunanagar.

Heard.

Learned counsel for the petitioner submits that as per case of prosecution, a shot was fired from the revolver, which hit wall of the house of complainant. It is a no injury case. The petitioner was arrested in this case on 06.08.2018 and after completion of investigation challan against him has already been presented in Court and his custody is no more required.

Learned State counsel submits that it is a no injury case. However, pistol recovered from the petitioner has been sent to FSL for report, which has not been received so far.

In view of above but without expressing any opinion on merits

of the case and keeping in view the fact the conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Parmod Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 17, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No