

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

CRM-M-49721-2018

Date of decision: December 15, 2018

Anwar Khan

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. V.G. Jauhar, 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-Anwar Khan in case FIR No.45 dated 19.05.2018 registered for the offence punishable under Section 302 of Indian Penal Code, 1860 (for short, "IPC") at Police Station City-I Malerkotla, District Sangrur.

It has been submitted that Mohd. Abid (deceased) died due to overdose of the drugs. Except that, the petitioner was captured with the deceased in the CCTV Footage recorded in the cameras installed on a shop of Mohd. Jamil.

Without expressing any opinion on merits of the case and the fact that conclusion of trial will take considerably long time, no useful purpose would be served by detaining 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

December 15, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No