

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

CRM-M-5653-2018

Date of decision: 19.03.2018

Nirmal Singh @ Nimma

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab assisted by
ASI Amrik Singh.

RAJ SHEKHAR ATTRI, 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.69 dated 26.04.2010 registered for the offences punishable under Sections 395, 347, 506 of Indian Penal Code (for short, "IPC") at Police Station Chheharta, District Amritsar.

Heard.

Learned counsel for petitioner submits that the petitioner was not named in the FIR. He was arrayed solely on the ground that one of the co-accused disclosed his name. But surprisingly, no test identification parade was got conducted for the reasons known to the investigating officer. Petitioner is in custody since 15.06.2017.

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 Nirmal Singh @ Nimma 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- (b) *In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

March 19, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No