

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-8238-2018 (O&M)

Date of Decision: 18.4.2018

Baljit Singh @ Sonu Bodi

....Petitioner

VERSUS

State of Punjab

....Respondent

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

Present: Ms. Riffi Bala Birla, 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.0140 dated 26.10.2017 registered for the offences punishable under Sections 304 of Indian Penal Code (for short, "IPC") at Police Station City Jalalabad, District Fazilka .

Heard.

Learned State counsel conceded that there is no direct or indirect evidence against the petitioner for administering some intoxicating substance to the deceased. However, he strongly relied upon the post mortem report and the MLR where five injuries have been shown. He further submits that viscera report has not been received so far.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.10.2017.

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-Baljit Singh @ Sonu Bodi son of Sher 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

April 18, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No