

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

**CRM-M-8263 of 2018**

**Date of Decision: 08.08.2018**

Sukhwinder Singh

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Ms. Jasneet Mehra, Advocate  
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. V.K. Sandhir, Advocate  
for the complainant.

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**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.79 dated 28.04.2017 registered for offences punishable under Sections 308/325/148/149 of Indian Penal Code (for short, "IPC") at Police Station Jandiala, District Amritsar.

Reply by way of affidavit of Deputy Superintendent of Police, Sub Division Jandiala, District Amritsar (Rural) filed by learned State counsel is taken on record.

Heard.

As per allegations of complainant, petitioner had given a rod blow on his abdomen, which resulted in rupture of spleen.

Learned State counsel submits that the petitioner was arrested in this case on 07.12.2017 and is in custody since then. Challan against him

has been presented in which charges have also been framed.

Learned counsel for the complaint has also pointed towards the conduct of petitioner while seeking release from jail for marriage of Kamaljit Kaur, his sister. From the reply and report submitted by learned State counsel, it appears that release was allowed to petitioner for the marriage of his sister, which got dissolved only two days before the date of marriage and on coming to know this fact, he returned to jail while he was on way to his village, as such, there is nothing adverse regarding the conduct of petitioner on this score.

In view of above but 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-Sukhwinder Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

**August 08, 2018**  
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**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No