

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

**CRM M-4881-2019 (O&M)
Date of Decision : 08.02.2019**

Harmandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Rajat Dogra, Advocate for
Mr. Sant Pal Singh Sidhu, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. 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 the petitioner in case FIR No.65 dated 20.07.2017, registered under Sections 302, 307, 324, 120-B, 148, 149 IPC and Section(s) 25/27 of the Arms Act, at Police Station Khalra, District Tarn Taran.

The dispute is with regard to the passage. It is the case of the complainant party that accused party came on tractor armed with weapon and tried to remove earth to down the level of the passage which was objected.

Learned counsel for the petitioner has submitted that two persons died due to fight and shots. No overt-act has been attributed to the petitioner. Although the petitioner was present with 'dattar' but no injury has been attributed to him.

The petitioner is 22 years young boy. He is in custody since 28.08.2017. The trial of the case will take long time. No useful purpose

will be served by keeping the petitioner in custody any further.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

08.02.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No