

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-20038 of 2019 in/and
CRM-M-16654 of 2019
Date of Decision: 08.07.2019**

Nazar Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Harvinder Singh Mann, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

SURINDER GUPTA, J.(Oral)

CRM-20038-2019

Application is allowed as prayed for and document (Annexure P-5) is taken on record subject to all just exceptions.

CRM-M-16654-2019

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.198 dated 09.12.2018 registered for offences punishable under Sections 307, 323, 353, 186 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Boha, District Mansa. (Offence punishable under Section 333 IPC was added later on).

Heard.

As per date of birth of petitioner recorded in his Aadhaar card, he is 70 years of age.

Learned State counsel on instructions from ASI Sukhpal Singh

submits that in the statement of injured-ASI Harbans Singh, he has

attributed one injury on his leg to petitioner, which was caused by *danda* blow. The petitioner was arrested on 19.01.2019.

Without expressing any opinion on merits of the case but keeping in view age of the petitioner; period of his incarceration and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Nazar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 08, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No