

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-24105 of 2019
Date of Decision: 16.09.2019

Raman Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G. Punjab.

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.34 dated 28.03.2019 registered for offences punishable under Sections 307, 353, 186 read with Section 34 of Indian Penal Code (for short, "IPC"); and 25 of the Arms Act, at Police Station Balongi, District SAS Nagar.

Heard.

Learned counsel for the petitioner argues that in the FIR, it is alleged that Sukhdeep Kumar Sharma @ Deep, Gurpreet Singh and Raman Kumar (petitioner) had fired at police party but from the petitioner an iron rod was recovered.

Learned State counsel on instructions from ASI Bahadur Singh submits that though an iron rod was recovered from the petitioner but he was with the other co-accused, who had fired at the police party.

It is a no injury case. The police has recovered an iron rod from the petitioner and the investigation against co-accused, namely, Gurpreet

Singh, is still pending.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that challan against the petitioner has been presented in Court and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Raman Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 16, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No