

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

**CRM-M No. 53524 of 2018
Date of Decision:01.03.2019**

Harmeet Singh and another

....Petitioners

VERSUS

State of Punjab and another

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S.Sarwara, Advocate
for the petitioners.

Mr. Ambika Bedi, A.A.G., Punjab.

Mr. Aman Bahri, Advocate
for respondent No. 2/complainant.

SURINDER GUPTA, J.(Oral)

The present second petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No. 99 dated 08.06.2015 registered for the offences punishable under Sections 420, 406 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Lalru, District S.A.S. Nagar.

Heard.

Custody certificates of petitioners filed by learned State counsel show that petitioner-Balwinder Singh is in custody for the last 1 year 1 month and 12 days and Harmeet Singh is in custody for the last 1 year 3 months and 13 days.

Learned State counsel submits that out of total 17 witnesses only 3 witnesses are left to be examined.

The case is triable by the Court of Magistrate. Keeping in view the period of custody and the fact that main witnesses have been examined, the present petition is allowed. Petitioners Harmeet Singh and Balwinder Singh are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

March 01, 2019

Jyoti-II

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No