

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29204 of 2019
Date of Decision: 10.09.2019

Manjeet Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, A.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.195 dated 01.10.2016 registered for offences punishable under Sections 307, 353, 186 of Indian Penal Code (for short, "IPC"); 25 of the Arms Act; and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Patran, District Patiala. (Offences punishable under Sections 411 and 483 IPC were added later on).

Heard.

As per case of prosecution, petitioner alongwith four other persons was travelling in car bearing registration no. HR-51-AT-9101. At the barricade in the area of Hamjheri, Patran, police party gave signal to stop the car but its driver tried to overrun the members of police party, who jumped aside to save themselves. The car hit the barricade and thereafter, occupants of the car fired at the police party. The car was, however, intercepted at which its occupants got down and tried to run away in

different directions. Petitioner alongwith Gurmukh Singh @ Bitra and Gurbaj Singh was arrested at the spot while two other persons escaped, who were identified as Gagandeep Singh @ Gaggu and Manjinder Singh. From possession of petitioner and Gurmukh Singh @ Bitra .315 bore country made pistols were recovered.

Learned State counsel on instructions from ASI Jarnail Singh submits that challan against the petitioner has been presented in Court and two out of 31 witnesses have been examined so far.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

September 10, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No