

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-33211 of 2019

Date of Decision: 21.08.2019

Pushwinder Singh @ Pushpinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

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.96 dated 08.07.2015 registered for offences punishable under Sections 399 and 402 of Indian Penal Code (for short, "IPC"); and 25 of the Arms Act, at Police Station Sadar Mansa, District Mansa.

Heard.

Notice of motion.

On asking of the Court, Mr. Arpinder Singh Sidhu, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

The petitioner was arrested in this case on 08.07.2015 and was allowed bail vide order dated 18.01.2016. Thereafter, he absented on 01.09.2016 and was again arrested/surrendered on 19.01.2017. From that day onward he is in custody and has undergone total imprisonment of 03

years 01 months and 10 days during trial, which has not been concluded so

far.

In view of above but 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- Pushwinder Singh @ Pushpinder 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 21, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No