

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

**Crl. Misc. No.M-34548 of 2019 (O&M)
Date of Decision: September 02, 2019**

Kulbir SinghPETITIONER

VERSUS

State of PunjabRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhishek Sharma, Advocate for
Mr. Jasraj Singh, 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. 20 dated 09.02.2019 registered for the offences punishable under Sections 307, 323, 324, 342 read with Section 34 of Indian Penal Code (for short IPC) (Sections 365 and 326 IPC added later on), at Police Station Bullowal, District Hoshiarpur.

Heard.

Notice of motion.

On asking of the court, Mr. Avtar Singh Sandhu, Addl. A.G., 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.

Learned counsel for the petitioner submits that co-accused Harinder Pal Singh and Gurinder Pal Singh, who were also attributed

Kirpan injuries to the complainant and his uncle, have been allowed regular bail vide order dated 10.07.2019 passed in CRM No. M-26415 of 2019 and 27641 of 2019.

Learned State counsel submits that though co-accused Harinder Pal Singh and Gurinder Pal Singh have been allowed regular bail but at the time of allowing bail, their period of custody was of around 4 months.

The petitioner has been attributed simple injury with sharp edged weapon. Challan has not been filed against him and the matter is still under investigation.

Keeping in view the facts that presentation of challan and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Kulbir Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

September 02, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No