

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

**Crl. Misc. No.M-34900 of 2019 (O&M)
Date of Decision: September 02, 2019**

Amit Puri @ Chattu

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Naveen Bawa, 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. 39 dated 06.04.2017 registered for the offences punishable under Sections 379-B of Indian Penal Code (for short IPC) (Section 411 IPC added later on), at Police Station Division No. 8, District Ludhiana.

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.

The petitioner was earlier allowed regular bail in this case vide order dated 28.07.2017 passed in CRM No. M-19453 of 2017. During trial,

he absented on 26.11.2018. Thereafter, he surrendered on 03.06.2019.

Learned State counsel submits that earlier also the petitioner had absented on 20.09.2017 and the trial Court could not proceed further due to his absence.

Keeping in view the fact that the petitioner is in custody for last about 3 months and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Amit Puri @ Chattu 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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