

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-35567 of 2019
Date of Decision: 04.09.2019

Jagsir Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Harvidner Singh Maan, 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.198 dated 09.12.2018 registered for offences punishable under Sections 307, 323, 353, 186 read with 34 of Indian Penal Code (for short, "IPC") at Police Station Boha, District Mansa. (Offence punishable under Section 333 IPC was added later on).

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.

As per prosecution version, occurrence took place on 08.12.2018, when ASI Harbans Singh alongwith Gurjant Singh had gone to chicken centre of petitioner for the purpose of checking. Exchange of hot words took place and ASI Harbans Singh was caused injuries by petitioner

and his father.

Learned State counsel submits that ASI Harbans Singh had suffered two fractures on leg. However, no injury was suffered by him on any vital part of the body.

The petitioner was arrested in this case on 10.12.2018 and after completion of investigation challan has been presented against him in Court.

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-Jagsir 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 04, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No