

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

**Crl. Misc. No.M-42659 of 2019 (O&M)
Date of Decision: October 15, 2019**

Sachin Kumar

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S.Bhinder, 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. 53 dated 21.05.2019 registered for the offences punishable under Sections 307, 341, 323, 324, 148, 149 read with Section 120-B of Indian Penal Code, at Police Station Khanauri, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Mr. Rakeshinder Singh Sidhu, A.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 case of the prosecution, the occurrence took place on 20.05.2019 at about 8:00 PM, when Anil along with his co-accused

including petitioner way laid the complainant and caused him injuries with axe, knife, dang and dandas etc.

Learned State counsel submits that the complainant has suffered five injuries out of which one was declared as grievous in nature. No injury was declared as dangerous to life.

As per the allegations in the FIR, the petitioner was empty handed and gave fist and leg blows in the abdomen of the complainant. He was arrested on 29.05.2019.

Keeping in view the fact that the challan has been presented against the petitioner and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sachin Kumar 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 15, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE