

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

**Crl. Misc. No.M-44005 of 2019 (O&M)
Date of Decision: October 23, 2019**

Deepak Kumar

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Inderpal Singh Parmar, 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. 77 dated 14.06.2019 registered for the offences punishable under Sections 379-B(2), 148, 411 read with Section 149 of Indian Penal Code at Police Station Sadar 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.

As per case of the prosecution, the occurrence took place on 09.06.2019 and present FIR was registered on 14.06.2019 when the matter was reported to the police.

As per complainant, the petitioner along with his co-accused way laid him and snatched ₹2500/- and mobile phone from his person. Deepak Kumar along with other co-accused namely Bittu Soni, Sonu and Mohit Kumar threatened the complainant with their weapons when the incident took place.

Co-accused Bittu Soni and Mohit Kumar have been allowed interim bail vide order dated 03.10.2019 passed in CRM No. M-31968 of 2019 as the complainant had entered into compromise with them.

Keeping in view the above fact and after filing of challan against the petitioner, conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Deepak 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 23, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE