

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-48872 of 2019
Date of Decision: 25.11.2019

Joga Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kanwaljeet Singh Sidhu, 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.19 dated 06.03.2019 registered for offences punishable under Sections 308, 325, 324, 323, 506, 148 and 149 of Indian Penal Code (for short, "IPC") at Police Station Sadar Kotkapura, District Faridkot. (Offence punishable under Section 307 IPC was deleted later on).

Heard.

Notice of motion.

On asking of the Court, Mr. Amitoj Singh Dhaliwal, DAG, 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 the matter has since been amicably settled and on the basis of settlement petition seeking quashing of the FIR has been filed, in which notice of motion has been issued for 06.12.2019. The injury, which was declared as dangerous to life,

has not been attributed to the petitioner.

In view of submission of learned counsel for the petitioner but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Joga 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 25, 2019

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No