

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

**Crl. Misc. No.M-50528 of 2019 (O&M)
Date of Decision: December 03, 2019**

Deepak Kumar @ Kalu

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.K.Arya, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

This second bail petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.76 dated 13.08.2019 registered for the offences punishable under Sections 326, 323, 324 read with Section 34 of Indian Penal Code at Police Station Division No. 2, District Pathankot.

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 allegations in the FIR, the petitioner had caused iron

angle blow on the head of complainant.

Learned State counsel on instructions from ASI Vimal Kumar submits that injury caused by the petitioner was declared as grievous in nature. The petitioner was arrested in this case on 22.09.2019.

Keeping in view the fact that after completion of investigation; presentation of challan and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner- Deepak Kumar @ Kalu is ordered to be released on regular bail on his 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

December 03, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***