

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-11602 of 2015

Date of Decision: 24.4.2015

Harjit Lal

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Darshan Singh.

Present: Mr. Ajay Singla, Advocate
for the petitioner(s).

Mr. Jasanpreet Singh, Assistant Advocate
General, Punjab for the respondent.

Darshan Singh, J.

1. The present petition has been filed by petitioner-Harjit Lal for grant of regular bail in case FIR No. 82 dated 24.2.2002, registered under Sections 324 & 323 read with Section 34 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC") at Police Station Sadar, District Jalandhar.

2. As per the prosecution allegations, the petitioner along with his co-accused caused injuries to Gian Singh. The petitioner along with his co-accused were facing trial for the offence punishable under Sections 324 & 323 read with Section 34 IPC. The petitioner absconded and was ultimately declared as Proclaimed Offender. He surrendered before the trial Court on 13.10.2014 and since then he is in custody. Hence, this petition.

3. Learned counsel for the petitioner pleads that only simple injuries are attributed to the petitioner. He is in custody for the last more

than six months. He further assured that the petitioner will now regularly attend the trial.

4. Learned State counsel has opposed the plea of bail on the ground that the petitioner has earlier misused the concession of bail and remained absent for about seven years and was also declared as Proclaimed Offender.

5. I have duly considered the aforesaid contentions.

6. The petitioner is facing trial for the offences punishable under Sections 324 & 323 read with Section 34 IPC for causing simple injuries to Gian Singh. This fact is not disputed that the petitioner absented from the trial in the year 2007 and surrendered in the Court only on 13.10.2014. In this manner, he remained absent for a period of seven years. But now the petitioner is in custody for the last more than six months. The conclusion of the trial will certainly take time. So, further detention of the petitioner will not serve any purpose.

7. Thus, in view of these circumstances, the present petition is allowed and petitioner-Harjit Lal is ordered to be released on bail on furnishing bail bonds to the satisfaction of the trial Court with two local and sound sureties in the like amount. The trial Court shall also be at liberty to take up the proceedings under Section 446 Cr.P.C., if not taken earlier.

(Darshan Singh)
Judge

April 24, 2015
"DK"