

**HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

255

**CRM No. M-11921 of 2015
Date of Decision: 23.04.2015**

Pritpal Singh

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

Jaspal Singh, J. (Oral)

This petition is preferred by Pritpal Singh under Section 439 Cr.P.C. seeking his bail in case FIR No. 159 dated 21.07.2009 registered under Section 3,4,5,6 Immoral Traffic Prevention Act, 1956 Act at P.S. Shimlapuri, Distt. Ludhiana during the pendency of trial.

Undisputably, earlier petitioner was granted the concession of bail and had been appearing before the trial court but on 23.08.2011, he did not appear. However, an application seeking exemption for his personal appearance was filed which was declined. As a result thereof, his bail bonds and surety bonds were cancelled and forfeited to the State. Thereafter, petitioner remained absconded and was arrested on 06.05.2014. Since then, he is

suffering incarceration. The trial is still at its initial stage and is fixed for the evidence of the prosecution. On instructions from ASI Balbir Singh, learned State counsel has submitted that no prosecution witness has so far been examined and trial is now fixed for 20.04.2015.

Taking into consideration the fact that petitioner must have learnt a lesson for absenting from the court and fleeing away from the trial, as he is cooling his heels behind the bars since the date of arrest since 06.05.2014. Even otherwise, disposal of the trial is also not possible in the near future. In the given circumstances, no useful purpose would be served by keeping the petitioner behind the bars.

Accordingly, petition is allowed and petitioner Pritpal Singh is ordered to be released on bail on furnishing bail bonds surety bonds at the satisfaction of the trial court/Duty Magistrate. However, it is made clear that in case of wilful default/absence of the petitioner during trial, the trial court shall be competent to cancel this order as well.

April 23, 2015
Sarita-I

(JASPAL SINGH)
JUDGE