

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

CRM No.M-12270 of 2015

Date of decision: 28.04.2015

Kesari Chauhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek Goel, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.22, dated 28.02.2008, registered under Sections 328, 379 and 120-B of the Indian Penal Code (for short, 'IPC'), at Police Station GRP, Ludhiana.

It is contended that the petitioner is not named in the FIR. The FIR was lodged after 11 days of the occurrence. Earlier, the FIR was registered against some unknown person and later on, the petitioner was falsely implicated in the present case. The petitioner was released on regular bail by the trial Court. The petitioner went to his native village and due to unavoidable circumstances, he failed to

appear before the learned trial Court. The absence of the petitioner is neither willful nor intentional.

On the other hand, the learned State counsel, informs that the petitioner is involved in other FIRs. The petitioner was declared proclaimed offender on 22.09.2012. Out of twelve witnesses, 08 have already been examined.

Heard.

Earlier, the petitioner was declared proclaimed offender as he absented from trial. He was later on re-arrested and supplementary challan was presented against him, in which he is facing trial. During his absconding, other FIRs were also registered against him.

Keeping in view the antecedents of the petitioner, no case of bail is made out at this stage.

28.04.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE