

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-14088-2015
Date of decision:18.05.2015**

Dilbag Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.B.S.Sodhi, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in FIR No.177 dated 9.11.2010 registered under Sections 307 and 149 of the Indian Penal Code at Police Station City South, District Moga.

Notice to the Advocate General, Punjab.

On the asking of Court, Ms.Anmol Grewal, AAG, Punjab, accepts notice.

Learned counsel for the petitioner submits that the star witness (PW-1) has not supported the prosecution case, because of which, petitioner is likely to be acquitted. In this view of the matter, he prays for allowing the present petition.

Learned counsel for the State, on instructions from HC Kulwant Singh, Police Station, City South, District Moga, submits that petitioner is not entitled for the concession of bail pending trial. He remained proclaimed offender for a period of about two years, because of which, trial was delayed. Had the petitioner not been proclaimed offender for such long time, trial would have been concluded long back. She prays

for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that petitioner is not entitled for bail pending trial. It is so said because petitioner himself is responsible for delaying the trial, as he remained proclaimed offender for a period of about two years.

Without commenting anything on the quality of prosecution evidence led so far, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out.

Dismissed.

18.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE