

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

210 **Criminal Misc. M- No. 37218 of 2014 (O&M)**  
Date of decision :16.01.2015

Hargurinder Singh @ Komal .....Petitioner

Versus

State of Punjab ....Respondent

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Bikramjit Arora, Advocate  
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab

**LISA GILL, J.**

The petitioner prays for bail pending trial in FIR No. 8 dated 13.01.1999 registered under Sections 379, 343, 365, 382, 323, 324 IPC at Police Station D- Division, District Amritsar.

It is contended that though the petitioner had been declared to be proclaimed offender on 09.07.2002 and thereafter arrested on 16.07.2014, all the other four co-accused in this case, who are similarly situated, have been acquitted by the trial Court on 23.05.2006. They have been acquitted as the prosecution witnesses did not identify them and the said witnesses never supported the prosecution version. It is submitted that the petitioner had left for Canada in view of his career prospects and was unable to come back to face the trial due to compelling circumstances. The petitioner has been in custody since 16.07.2014. He undertakes not to abuse the concession of bail granted to him. It is also informed that the

petitioner has been granted the concession of bail pending trial in other two FIRs mentioned in affidavit dated 07.11.2014 filed by Sh. Ravinder Kumar Sharma, Superintendent, Central Jail, Amritsar.

Learned counsel for the State has opposed the petition on the ground that the petitioner was declared a proclaimed offender and he never appeared before the trial Court and it is only after the delay of 12 years that he was arrested.

It is, however, confirmed that all the other four accused, who are similarly placed as the petitioner have been acquitted by the trial Court. The prosecution witnesses have not supported the prosecution version.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

January 16, 2015  
rts

(LISA GILL)  
JUDGE