

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-41222-2014

Date of decision : 19.02.2015

Wasim Ahmad

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Sherry K.Singla, Advocate
for the petitioner.

Mr.Gazi Mohammad, DAG, Punjab.

REKHA MITTAL, J.(ORAL)

The petitioner prays for grant of regular bail as he absented from the proceedings during pendency of trial pertaining to FIR No.55 dated 26.05.2013 registered in Police Station City-2 Malerkotla, District Sangrur for offence punishable under Sections 307, 326, 324, 341, 160, 506, 148, 149 the Indian Penal Code.

Counsel for the petitioner contends that the petitioner was granted regular bail in the aforesaid FIR by this Court on 10.01.2014. The petitioner absented from the proceedings on 18.07.2014 and surrendered on 29.09.2014. It is further submitted that the petitioner has been sufficiently penalized for his absence from the proceedings and may act as a deterrent against jumping bail again.

Counsel for the State has opposed the prayer with the submissions that the petitioner intentionally absented from the proceedings

as there was another criminal case in which he was indicted.

I have heard counsel for the parties and perused the records.

The petitioner is in custody since 29.09.2014 for his absence from judicial proceedings for a period of about 2 months w.e.f. 18.07.2014 to 29.09.2014. Conclusion of trial is likely to take its own time. Bail subject to satisfaction of the trial Court. However, the trial Court shall be at liberty to proceed against the petitioner and his surety under Section 446 Cr.P.C.

The petitioner shall remain bound by the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

February 19, 2015.

DK