

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

CRM-M-41331-2015

Date of Decision:11.12.2015

GURPAL SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MS. JUSTICE DAYA CHAUDHARY

Present : Mr. Suram Singh Rana, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG., Punjab.

DAYA CHAUDHARY J. (ORAL)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.106 dated 25.07.2007 under Sections 399/402 IPC and 25 Arms Act, registered at Police Station, Sadar Rupnagar, District Ropar.

Learned counsel for the petitioner submits that the petitioner was arrested and was released on regular bail by the trial Court. Thereafter, the petitioner was attending the Court proceedings regularly since 2007. He was declared proclaimed offender subsequently on 02.09.2014. He was arrested on 07.07.2015 and since then he is in custody. All the co-accused are on bail and nothing is to be recovered from him. All witnesses are official witnesses and there is no possibility that he may influence them. Out of total 25 witnesses, 04 have been examined and trial may take some time in final conclusion.

Learned State counsel has not disputed the custody period and also the fact that earlier the petitioner was on regular bail but opposes grant of bail to the petitioner on the ground that he has misused the concession of bail.

In view of submissions made by learned counsel for the petitioner that earlier the petitioner was on bail and was attending the Court proceedings regularly; he was arrested on 07.07.2015 and since then he remained in custody for about 03 months; all the co-accused are on bail and trial may take some time in final disposal and there is no possibility that he may influence the witnesses, who are official witnesses; the petition is allowed and petitioner namely Gurpal Singh is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

December 11, 2015
rajneesh

(DAYA CHAUDHARY)
JUDGE