

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

(210)

CRM-M-41729-2015

Decided on: December 14, 2015.

Gurinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. R.K. Dadwal, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of complainant Taranjit Singh alleging that his mobile, purse etc. were snatched by the petitioner.

Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely involved in a case which was registered without naming any accused. He claims that he has been involved in a blind FIR on the basis of allegations that he has made a statement in custody in another criminal case.

On the instructions of HC Jugraj Singh, learned State counsel has informed that the petitioner has been declared a proclaimed offender and that the trial Court, after proceedings under Section 299 Cr.P.C consigned the case to the record room awaiting for the arrest of the petitioner.

Learned counsel for the petitioner has submitted that he has wrongly been declared proclaimed offender.

Without entering into the controversy as to under what circumstances, he has been declared proclaimed offender, I deem it appropriate to give a fair opportunity to the petitioner to surrender before the Illaqa Magistrate and face trial.

This petition is allowed. It is ordered that in case of petitioner appearing before the trial Court on or before 25.01.2016, he will be released on bail to the satisfaction of the said Court subject to the condition that he will not absent himself without any sufficient cause after having been granted concession of bail on appearance before the trial Court.

It is made clear that in case the petitioner fails to appear before the Illaqa Magistrate by 25.01.2016, this petition will be deemed to have been dismissed. The State agency would be entitled to present supplementary challan against the petitioner for his trial. It will be open to the investigating agency to arrest him in accordance with law after 25.01.2016.

The order declaring him proclaimed offender will remain inoperative till 25.01.2016.

Nothing said in this order will effect the merits of the criminal cases pending against the petitioner.

(M.M.S. BEDI)
JUDGE

December 14, 2015
harsha