

CRM-M-43143 of 2014

Date of Decision: 09.01.2015

Sahib Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Ramesh Sharma, Advocate
for the petitioner

Mr. Gazi Mohammad, DAG, Punjab
for the respondent-State

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioner prays for grant of bail in FIR No. 10 dated 19.1.2005, registered at Police Station, Killa Lal Singh, District Batala for offence punishable under Sections 447, 427, 506, 511, 148, 149 of the Indian Penal Code (in short "IPC") and Section 25 of the Arms Act.

Counsel for the petitioner submits that the petitioner was declared as a proclaimed offender in the year 2011 and is now in custody since 24.7.2014. The co-accused in the case have already been acquitted of the offence, after trial, vide judgment dated 29.5.2014. The petitioner is ready to face proceedings in accordance with law when otherwise he has been sufficiently penalized for his absenting from the proceedings.

Counsel for the State of Punjab, on instructions from SI Naresh

Kumar, has not disputed factual assertions but submitted that keeping in view previous conduct of the petitioner, he does not deserve to be released on bail.

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

The petitioner is in custody since 24.7.2014 and conclusion of trial, on the basis of supplementary challan presented in the court, is likely to take some time. The co-accused in the case have been acquitted of the charged offence vide judgment dated 29.5.2014. The petitioner has sufficiently suffered for his earlier lapse of absenting from the proceedings.

Without meaning to express any opinion on merits of the controversy, petitioner is allowed to be released on bail on his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate, Batala subject to 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 previous permission of the Court.

Petition stands disposed of.

(REKHA MITTAL)
JUDGE

09.01.2015
PARAMJIT