

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

CRM No. M-1094 of 2016 (O&M)

Date of Decision: 16.03.2016

Vicky alias Channi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. H.S.Batth, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner has preferred the present petition under Section 439 Cr.P.C. seeking benefit of regular bail pending trial in case FIR No.18 dated 27.02.2009, under Sections 382, 379, 328, 411, 420 of Indian Penal Code, registered at Police Station Sarhali, District Tarn Taran.

It may be briefly noticed that the accusations against the present petitioner and other co-accused are of having given some intoxicant material to the driver and conductor of a truck and thereafter having taken away the vehicle and looted the loaded consignment.

During the course of arguments, it has gone uncontroverted that investigation in the case having been completed, challan was presented and even charges were framed and the petitioner was regularly appearing before the trial Court. However, having absented from the trial proceedings, proclamation

proceedings were initiated and which led the passing of order dated 15.07.2013 declaring the petitioner to be a proclaimed offender.

The petitioner thereafter was arrested on 06.08.2015 and is in custody since then.

Without making any observations on merits and keeping in view the fact that the petitioner earlier in point of time had been appearing and associating with the trial proceedings and now after arrest has been in custody for more than six months, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Tarn Taran.

Disposed of.

16.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**