

CRM-M-11377-2016
Date of Decision : 07.04.2016

Rajan Masih @ Raja

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Zorawar Singh Chauhan, Advocate
for the petitioner.

Mr. Jashanpreet Singh, Addl.A.G, Punjab.

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

The petitioner had been granted concession of pre arrest bail by learned Additional Sessions Judge, Jalandhar on 22.02.2012. He absented on account of ailment of his son. Though as per the FIR, the petitioner is not named in the FIR and no grievous injury has been attributed to him, he appears to have been declared proclaimed offender on 05.12.2012. The petitioner was arrested in another FIR No. 287 dated 08.11.2014 under Section 22 of NDPS Act, Police Station Phillaur, District Jalandhar. He is alleged to have admitted his involvement in the present case, while in custody, in the above said case. He was arrested in the present case, being a proclaimed offender, vide order dated 05.12.2012, on 30.11.2014.

At present, the petitioner, being in custody, the order of declaring him proclaimed offender is rendered infructuous.

The petitioner, in the above circumstances, can be granted concession of bail especially when he has neither been named in the FIR nor any specific injury is attributed to him.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE**07.04.2016***Neha*