

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

CRM No.M-17175 of 2016

Decided on: May 27, 2016.

Ravi

.... Petitioner

Versus

Union Territory Chandigarh

..... Respondent

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

Present: Mr. Rakesh Mohan Jain, Advocate,
for the petitioner.

Mr. A.S. Virk, Addl. PP for U.T. Chandigarh.

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

The petitioner is involved in a case of theft registered in the year 2006. He was granted bail after his arrest on 17.10.2006. He jumped bail and was declared proclaimed offender on 12.08.2014. Thereafter, he was again arrested on 20.12.2014. He was granted concession of bail but again he did not appear and as such and was again declared proclaimed offender on 26.01.2016.

Learned counsel for the petitioner submits that co-accused of the petitioner have been acquitted on account of complainant-Devashish Tezpal having not appeared in the witness box.

The petitioner now has been in custody w.e.f. 27.01.2016. Grant of bail to the petitioner at this stage may further delay the proceedings but it has been informed by learned State counsel that after 27.01.2016, no prosecution witness has been examined.

The next date of hearing before the trial Court is stated to be

30.05.2016.

Taking into consideration of the above said circumstances, I am not inclined to grant the concession of bail to the petitioner. However, taking into consideration the circumstances of the case, he is presumed to be innocent till declared guilty.

The petition is disposed of with a direction that the trial Court shall make an earnest endeavour to examine the material witnesses by 15.06.2016 by adopting appropriate procedure for securing the presence of the witnesses. In case the material witnesses are not produced by the prosecution agency by 15.06.2016, the petitioner will be released on bail by the trial Court or Duty Magistrate after 15.06.2016 on his furnishing bail bonds/surety bonds to its satisfaction.

(M.M.S. BEDI)
JUDGE

May 27, 2016
Dinesh