

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38649-2016

Date of Decision:- 10.11.2016

Surinder Singh @ Chhinda

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rajesh Duhan, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a criminal complaint case No.59 dated 15.09.2010, under Section 406, 498-A and 34 IPC titled Lakhwinder Kaur Vs. Surinder Singh @ Chhinda, in which, he was declared proclaimed offender.

Learned counsel for the petitioner submits that the petitioner along with his parents were summoned to face the trial of the case and due to non-appearance of the petitioner, he was declared proclaimed offender on 22.10.2014 whereas his parents was convicted and sentenced to undergo RI for one year by the learned JMJC, Samana, vide judgment dated 02.02.2015. Thereafter, the parents of the petitioner filed an appeal against the said judgment before the Court of Addl. Sessions Judge, Patiala whereby they were acquitted, vide judgment dated 29.05.2015. The case of the petitioner

is that the complainant has filed the false complaint against him by mentioning wrong address with mala-fide intention. He has never received any summon and has no knowledge about the pendency of the case. Nothing is to be recovered from the petitioner. Moreover, the petitioner is in custody since 24.05.2016 and no useful purpose will be served to keep him in custody.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 24.05.2016. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Patiala.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

November 10, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No