

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

(220)

CRM-M-5390-2016

Decided on: February 23, 2016.

Rajinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

Present: Mr. Avtar S. Khinda, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

Petitioner along with Kirpal Singh was indicted in the case on the allegations that they had set the cow-dung-hill of the complainant on fire in April, 1999. Co-accused of the petitioner Kirpal Singh has been acquitted after trial on 06.12.2010. The petitioner after having returned to India had surrendered before the trial Court on 22.01.2016.

It appears that though a period of more than one month has elapsed but supplementary challan has not been filed by the prosecution. The petitioner being a proclaimed offender cannot be penalised by keeping him behind bars for all times to come especially when co-accused of the petitioner, father of the petitioner, in similar circumstances, has been acquitted.

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**

February 23, 2016
harsha