

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-10684 of 2017
Date of Decision: 21.04.2017

Harminder Singh @ Mintu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 103 dated 28.09.2009 registered for offences punishable under Sections 17, 18 and 20 of Unlawful Activities (Prevention) Act, 1967 and 25 of the Arms Act, at Police Station Bhogpur, District Jalandhar City.

Heard.

Notice of motion.

On asking of the court, Ms. Bhavna Gupta, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that petitioner, who was earlier declared proclaimed offender vide order dated 15.02.2011, was arrested in this case on 07.11.2014 and since then he is in custody. Even after presentation of challan, the case has not been committed to the Court of Sessions for trial.

It is submitted that there were 10 other accused, who faced trial in this case and have since been acquitted.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Harminder Singh @ Mintu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

District and Sessions Judge, Jalandhar is directed to look into the matter and ensure that trial of this case be expedited and the same be disposed of at the earliest and preferably within a period of nine months.

April 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No