

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

**CRM-M-22689-2017
Date of decision :12.07.2017**

Pawan Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr.Bhupinder Ghai, Advocate for
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

H.S. MADAAN, J. (Oral)

This petition for grant of regular bail has been filed by petitioner-Pawan Kumar an accused in FIR No.09 dated 20.01.2011 under Sections 413, 420, 467, 468, 471 IPC registered at Police Station Shimlapuri, District Ludhiana.

The accused was arrested in the said case and was granted bail. While he was facing trial in the Court of Additional Sessions Judge, Ludhiana, he jumped bail on 18.07.2011 with the result his bail bonds were cancelled and forfeited to the State and he was ordered to be summoned

through warrant of arrest. He could not be arrested, hence proclamation under Section 82 Cr.P.C. was published against him. He failed to appear within stipulated period and was declared proclaimed offender on 26.09.2014. Subsequently, he was arrested on 12.06.2015 and he is in custody since then. He had moved an application for regular bail in the Court of Additional Sessions Judge, Ludhiana, but that application was dismissed vide order dated 16.05.2017, as such, he has approached this Court for grant of regular bail.

I have heard learned counsel for the petitioner and learned State counsel, besides, going through the record.

No doubt the conduct of the petitioner in jumping bail during the trial was deplorable, but keeping in view the fact that he is behind the bars in this case since 12.06.2015 i.e. for more than two years and he must have learnt a lesson by now for absenting himself from the Court without intimation, it is found proper and appropriate if he is granted benefit of regular bail.

Learned State counsel submits that keeping in view the fact that he was declared a proclaimed offender and he is an accused in eleven other cases, stringent conditions be fixed while releasing him on bail, so that he may not abscond again.

Accordingly, the bail application is accepted and the petitioner is ordered to be released on bail on his furnishing personal and surety bonds to the satisfaction of the learned CJM / Duty Magistrate, Ludhiana.

The Magistrate accepting bond is to ensure that bonds are of

substantial amount and surety should be local one having documentary proof of immovable property double the surety bond. The petitioner is to surrender his passport before the Investigating Officer if he has got one otherwise to furnish affidavit in that regard.

This petition stands allowed accordingly.

12.07.2017

Gaurav Sorot

**(H.S. MADAAN)
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**