

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

**Criminal Misc. No.M-23992 of 2017
Date of Decision: 13.07.2017**

Harbhej Singh @ Bittu

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. H.S. Mann, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.03 dated 29.01.2004 under Sections 279, 337, 338 IPC registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner has argued that in the case in hand, challan has been presented and charge has also been framed, but during trial, when the petitioner did not appear, he was declared proclaimed offender by the trial Court on 17.9.2009. However, when the petitioner came to know about the PO order, he himself appeared before the Court of Judicial Magistrate Ist Class, Kapurthala and accordingly, he is in custody since 11.4.2017.

Learned State counsel does not dispute the submissions made on behalf of the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner has already surrendered before the trial Court and is in judicial custody since 11.4.2017 and the trial in the case may take long time, I deem it appropriate to release him on regular bail. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that observations made hereinabove shall not be construed as any expression on the merits of the case.

July 13, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No