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

CRM-M-26081 of 2017

Date of decision: July 26, 2017

Boota Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Pritpal Singh, Advocate for the petitioner.

Ms. Samina Dhir, DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.20 dated 19.03.2014, under Sections 307, 353, 186, 332, 427, 411, 148, 149 of Indian Penal Code, 1860 and Sections 25/54/59 of Arms Act, 1959, registered at Police Station Haibowal, District Ludhiana.

The petitioner was re-arrested on 02.11.2016 since he had not appeared before the trial Court on the appointed date, namely 13.01.2016. Petitioner was admittedly released on regular bail on 15.05.2014 by the learned Additional Sessions Judge, Ludhiana. However, according to the petitioner, he was absent because his mother was suffering from cancer and father from heart disease.

Be that as it may, since the petitioner was already released on regular bail and had absented from the Court and since the learned counsel for the petitioner, on instructions from the petitioner, makes a

categorical statement that the petitioner, with promptitude, shall attend the trial and cooperate with the trial Court for completion of trial early, I find that the petitioner should be allowed to be at liberty during trial instead of continuing his detention under trial. But that will be strictly by way of a last chance and subject to deposit of costs in the sum of ₹10,000/- (non-refundable) payable to the State of Punjab through the trial Court.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall attend the trial with promptitude and cooperate the trial Court for completion of trial early. Petitioner shall pay costs in the sum of ₹10,000/- (non-refundable) payable to the State of Punjab by depositing the same with the trial Court. Liberty reserved in favour of trial Court to take the petitioner in custody in case he makes any default in appearance before the trial Court. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

July 26, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No