

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

207

CRM-M-30034-2017.

Date of Decision: 23.08.2017.

Phangan Singh and another

....Petitioners.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. L.S. Sidhu, Advocate for the petitioners.

Mr. Rana Harjasdeep Singh, Assistant Advocate General,
Punjab.

Ramendra Jain, J.(Oral)

Through this petition under Section 439 of the Code of Criminal Procedure, prayer has been made for grant of regular bail to petitioners, namely, Phangan Singh and Jagtar Singh in case F.I.R. No.159 dated 02.10.2014 under Sections 380, 411, 427, 436 and 457 of the Indian Penal Code, registered at Police Station Baghapurana, District Moga, during pendency of the trial.

Petitioner No.1-Phangan Singh during trial absented on 09.08.2016 whereas petitioner No.2-Jagtar Singh remained absent w.e.f. 08.12.2015. Both, the petitioners, were declared proclaimed offenders on 28.11.2016 and 30.03.2016 respectively and were arrested on 10.01.2017. Since then they are in custody.

Learned counsel contends that petitioner No.1-Phangan Singh is around 71 years old, whereas his son i.e. petitioner No.2-Jagtar Singh is

suffering from hepatitis -B. They are in custody since 10.01.2017. The conclusion of trial shall take a long time and no useful purpose would be served by detaining the petitioners in jail.

Learned counsel for the State vehemently opposed the petition, submitting that petitioner No.1-Phangan Singh right from 2002 till date has been booked in eight cases for committing heinous crime and petitioner No.2 is his son. Thus, both the petitioners do not deserve the concession of regular bail.

Considering overall facts and circumstances of the case and the fact that conclusion of trial shall take a long time, petitioner No.1-Phangan Singh, being 71 years of age, is admitted to regular bail during trial, subject to his furnishing bail/ surety bonds to the satisfaction of the trial Court.

However, the instant petition qua petitioner No.2-Jagtar Singh is dismissed for the reason that he has sought bail on medical ground i.e. suffering from hepatitis-B, but no medical record in this respect has been produced.

Petition is disposed of accordingly.

(RAMENDRA JAIN)
JUDGE

23.08.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No