

212

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

CRM-M-30240 of 2017

Date of decision: August 24, 2017

Manpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Custody certificate filed by the learned State counsel,
today in Court, is taken on record.

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.34 dated
15.03.2013, under Sections 379/411 of Indian Penal Code, 1860 and
Section 21 of Mines Act, 1952 (for short 'Mines Act'), registered at
Police Station Kot Isah-Khan, District Moga.

The prosecution allegations against the petitioner is that he
was driving the *trolley* containing sand obtained out of illegal mining
and thus, he had committed the offence of theft and offence under
Mining Act.

Petitioner was arrested on the spot on 15.03.2013 and
thereafter, was released on bail.

Learned counsel for the petitioner submits that the

petitioner did not appear before the trial Court thereafter, because he had gone Dubai in search of job and returned from Dubai and therefore, could not attend the Court for almost four years.

In support of his submission, he had placed documents including photocopy of passport, on record. There is no other case reported against the petitioner. In my opinion, looking to the nature of offence allegedly committed by the petitioner and the fact that he had gone Dubai in search of job, there is no point in curtailing his liberty for facing the trial.

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, subject to his furnishing security and attend the trial with promptitude. Trial Court is directed to expedite the trial. Liberty to the trial Court to the petitioner in custody in case he absents. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

August 24, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No