

CRM-M-34456-2017

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

CRM-M-34456-2017

Date of Decision:22.09.2017

Buta Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. J.S.Lalli, Advocate,
for the petitioner.

Mr. A.P.S.Gill, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Buta Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.23 dated 01.04.2012, registered at Police Station Singh Bhagwantpur, District Ropar, under Section 21 (1) of the Mining and Minerals Act, 1957 and Section 379 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent-State and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present petitioner absented from the court proceedings and was ultimately declared proclaimed offender on 05.05.2017.

CRM-M-34456-2017

Learned counsel for the petitioner stated that the petitioner has surrendered himself before the court on 09.05.2017 and since then, he has been in custody.

The case has been registered under Section 21(1) of the Mining and Minerals Act, 1957 and Section 379 of the Indian Penal Code. The petitioner has been in custody since 09.05.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

22.09.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No