

CRM-M-42045 of 2017

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

CRM-M-42045 of 2017
Date of Decision: 16.11.2017

Mandar @ Gurmukh Singh @ Sukhmandar Singh @ Tota

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. B.S. Bhalla, Advocate, for the petitioner.
Mr. A.S. Sandhu, Addl. A.G., Punjab.

RAMENDRA JAIN, J. (ORAL)

Custody certificate filed in Court today is taken on record.

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner, namely, Mandar @ Gurmukh Singh @ Sukhmandar Singh @ Tota in a case arising from FIR No.246 dated 27.12.2013 registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station Zira, District Ferozepur.

During trial, petitioner was granted regular bail in the aforesaid case. However, he absented on 09.11.2016 and continued as such till 15.05.2017 i.e. for around seven months, on which date he was arrested.

Learned counsel for the petitioner *inter alia* contends that for a single default, petitioner is in custody since last six months. The conclusion of trial shall take a long time. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel vehemently opposed the prayer for grant of regular bail to the petitioner submitting that four more

CRM-M-42045 of 2017

cases of the similar nature and one under the provisions of the Narcotic Drugs and Psychotropic Substances Act, in total five cases are pending against the petitioner. Thus, he being an habitual offender, does not deserve the concession of regular bail.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing personal bail bonds and two surety bonds of heavy amount, to the satisfaction of Trial Court/Duty Magistrate concerned.

November 16, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No