

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

CRM No. M-44078 of 2016 (O&M)

Date of Decision: 17.02.2017

Gurmeet Singh @ Sonu

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Saurabh Arora, Advocate for the petitioner.

Ms. Shivali, AAG, Punjab.

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TEJINDER SINGH DHINDSA.J

Petitioner seeks benefit of regular bail pending trial in case FIR No.215, dated 24.10.2011, under Sections 379/411/420/473, registered at Police Station Jodhewal, District Ludhiana City.

Counsel for the parties have been heard.

During the course of arguments, it has gone uncontroverted that the petitioner having absented from trial proceedings was declared as proclaimed offender on 07.06.2014. Subsequently petitioner was arrested on 26.12.2015 and is in custody since then.

As regards the stage of trial, learned State counsel upon instructions from HC Rajinder apprises the Court that out of 24 prosecution witnesses cited only 3 have been examined till date. The trial, as such, would take time to conclude.

Learned State counsel opposes the present petition by submitting that the petitioner is a habitual offender and is involved in four other cases.

To meet such objection, counsel appearing for the petitioner would submit that out of other four criminal proceedings, petitioner already secured concession of bail in three matters.

Even though the petitioner had been declared a proclaimed offender having misused the concession of bail, yet the fact remains that the petitioner has faced incarceration since 26.12.2015.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Accordingly, prayer made in the present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Ludhiana subject to the rider that he is not shown as arrested in any other case.

Disposed of.

17.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |