

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

Crl. Misc. M-44322 of 2017 (O&M)
Date of Decision: December 06, 2017

Inder Mohan Singh @ Laddi

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. D.K. Bhatti, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG Punjab.

Mr. Rajiv K. Trikha, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.169 dated 19.12.2013, under Sections 406, 498-A of Indian Penal Code, registered at Police Station City Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 31.10.2017. It is also argued that in fact, the order dated 04.07.2017 passed by the trial court is not sustainable, on account of the fact that he could not have been declared as a proclaimed offender under Section 82(4) of the Cr.P.C., as offences under Sections 406, 498-A of IPC do not fall in that category. At best, the

petitioner could be declared as a proclaimed person. It is submitted that in the order dated 10.11.2017 declining the regular bail by the learned Addl. Sessions Judge, Hoshiarpur, it has been noted that dowry articles have been recovered. It is also contended that petitioner is falsely implicated in the present case, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 31.10.2017 and that recoveries have already been effected, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

December 06, 2017

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No