

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

Sr. No.207

CRM-M No.46148 of 2016
Date of decision: 14.02.2017

Angrej Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

As directed, learned State counsel has filed custody certificate, in Court today, which is ordered to be taken on record. A copy of the same has been given to the counsel opposite.

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.448 dated 04.12.2014, registered under Sections 307, 323, 148, 149 IPC and 25, 27 of Arms Act, at Police Station City Tarn Taran, District Tarn Taran.

Seeking regular bail to the petitioner, learned counsel for the petitioner submits that there were four accused in the afore-referred FIR and three out of them stand acquitted. However, the petitioner could not be tried as he was declared as a proclaimed offender. It is submitted that the petitioner has surrendered in September 2016 and on such surrender, he should have been admitted to regular bail by the trial Court. It is

still further submitted that the petitioner has been in custody for over 05 months and in view of the acquittal of the other co-accused who have been attributed similar role as the petitioner, no useful purpose would be served to keep the petitioner behind the bars.

Learned State counsel opposes the bail application on the ground that there are serious allegations against the petitioner and he had an earlier point of time was declared a proclaimed person.

It is undisputed that there were four accused out of which three stand acquitted. So far as the declaration of the petitioner as a proclaimed person is concerned, he surrendered before the trial Court on 03.09.2016 and ever since he is in custody.

Considering the above submissions made by learned counsel for the petitioner and finding merit in the same, in view of the peculiar facts of the case, the petition is allowed and the petitioner is directed to be admitted to regular bail.

Bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Tarn Taran.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

February 14, 2017

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(i) Whether speaking/reasoned	Yes/No
(ii) Whether reportable	Yes/No