

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47715-2017

Date of decision: 19.12.2017

Simranjot Singh @ Bori

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.P.S. Rehan, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.57 dated 23.04.2016 under Section 379-B IPC, registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner was granted regular bail on 23.08.2016 by Additional Sessions Judge, Hoshiarpur. Counsel for the petitioner further submits that the petitioner was regularly attending the Court and on 30.05.2017, the date fixed before the trial Court, the petitioner could not appear, as he was arrested in some other case at Amritsar. Counsel for the petitioner also submits that the prosecution never moved any application for production of the petitioner from the Amritsar Jail and the proceedings for declaring him proclaimed offender were initiated.

It is further submitted on behalf of the petitioner that on 14.08.2017, the petitioner was declared as proclaimed offender, though he was already in judicial custody on that date. Counsel for the petitioner has further submitted that the petitioner was granted regular bail by this Court in another case, vide order dated 25.09.2017 passed in CRM-M-32138-2017. It is further submitted that the petitioner appeared before the trial Court on 09.10.2017 and he was sent to judicial lockup.

Learned State counsel, on instructions from HC Rajender Singh, has not disputed the aforesaid factual position.

Without commenting anything on merits of the case, considering the fact that the petitioner was already granted regular bail and could not appear before the trial Court on account of his involvement in another case, in which the petitioner was granted regular bail by this Court on 25.09.2017 and immediately thereafter, he has appeared before the trial Court on 09.10.2017, this petition is allowed and the petitioner is directed to be released on regular bail subject to his furnishing fresh bail/surety bonds to the satisfaction of the trial Court.

[ARVIND SINGH SANGWAN]
JUDGE

19.12.2017
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No