

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 212

Case No. : Crl. Misc. No. M-669 of 2017

Date of Decision : January 30, 2017

Gurpreet Singh		Petitioner
vs.		
State of Punjab		Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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Present : Mr. Gurpreet Singh Dhillon, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. :

The present petition has been filed under Section 439 Cr. P.C. for grant of regular bail in FIR No.03, dated 06.01.2014, registered under Sections 307, 323, 353, 186, 148 and 149 of IPC, at Police Station Tripuri, Patiala (Punjab).

It is the admitted case between the parties that in the aforesaid FIR, the petitioner was granted regular bail by the trial court on his furnishing adequate surety bonds. However, the surety bonds were cancelled on 03.06.2016 on the petitioner's non-appearance before the trial court and since the non-appearance on his part continued, he was declared a Proclaimed Offender.

It is further not disputed that for the dates the petitioner could not appear before the trial court, he was in custody in another case being **FIR No. 269 dated 23.08.2011** registered under Section 188 of the IPC and Sections 25, 54 and 59 of the Indian Arms Act.

That being so, his non-appearance can only be attributed to the prosecution as it was their duty to produce him before the trial court in the FIR in which the petitioner seeks regular bail through the present petition.

In view of the above, the petition is allowed and the petitioner is directed to be released on regular bail.

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

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

(DEEPAK SIBAL)
JUDGE

January 30, 2017
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<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>