

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

CRL. MISC. No.M-7534 OF 2017
DATE OF DECISION : 15th MARCH, 2017

Mandeep Singh alias Minta

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. D. S. Virk, Advocate for the petitioner.

Mr. Daljeet Singh Virk, DAG, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.254 dated 13.07.2007 registered under Sections 419, 420, 421, 422, 465, 468 & 471 IPC at Police Station Tripuri, District Patiala.

Heard learned counsel for the rival parties.

Learned counsel for the petitioner submits that the petitioner was arrested in the above said FIR and was thereafter released on regular bail by the Court. He remained on bail. In the meanwhile he did not attend the Court in the year 2015 as such he was declared proclaimed offender (PO) on 07.03.2015. He further submits that the petitioner is ready to face the trial before the trial Court as he did not know about the date that was fixed for his appearance when he was declared PO. According to him, in the meanwhile the trial was held against one of the accused Naveen Kumar @ Gama and was acquitted by the trial Court on 21.01.2016. The petitioner Mandeep Singh alias Minta was declared PO

and therefore he was not tried. Learned counsel for the petitioner, therefore, submits that the petitioner is ready to face the trial and the petitioner shall appear with promptitude on all dates of appearance before the trial Court and will make no default.

Learned State counsel opposed the plea raised by the petitioner and has submitted that the prosecution story is that the petitioner by playing fraud taken the loan from the banks and purchased 1 Indica Car, 1 Accent car, 2 Ten tire trollass, 1 Mahindra Pick Up jeep, 1 Krizma Motor Cycle etc.

Without accepting the allegations made by prosecution, I think, the petitioner should be allowed the liberty to face the trial in the present FIR. However, since the petitioner has taken the police machinery as well as the Court for a ride, he will have to pay costs in the sum of ₹50,000/-.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-7534 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall deposit the costs amount of ₹50,000/- with the Senior Superintendent of Police, Patiala, within two weeks after release, which shall be forfeited to the State of Punjab in the event of any default by the petitioner in appearing before the trial Court.
- (iv) The petitioner shall not tamper or influence the prosecution witness(es).

- (v) The petitioner shall thereafter cooperate with the trial Court in completing the trial, which shall be completed by the trial Court within six months from the date of release of the petitioner on bail.
- (vi) Any default by the petitioner in the trial Court shall be seen seriously and in the event of default the petitioner be taken in to custody by the trial Court.

15th March, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE