

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

**CRM-M-10764-2018
Date of decision:19.4.2018**

Mangal Singh alias Bobby

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Parshotam Lal Singla, Advocate
for the petitioner.

Mr. Harbir Singh Sandhu, AAG, Punjab.

MAHABIR SINGH SINDHU, J. (ORAL)

This petition has been filed by the petitioner under Section 439 of the Criminal Procedure Code ('Cr.P.C.' - for short) for grant of regular bail in FIR No.187 dated 27.9.2009 under Sections 323, 326, 341, 324, 148, 149 of the Indian Penal Code ('IPC' - for short) registered at Police Station Sadar Ludhiana, District Ludhiana.

Fresh custody certificate produced by the State counsel is taken on record and copy thereof has been supplied to the opposite side.

It is contended by learned counsel for the petitioner that he was declared as proclaimed offender on 7.2.2014 and later on he was

arrested on 3.11.2016 and since then he is in custody. It is further contended that two co-accused of the petitioner have already been convicted for offences punishable under Sections 323, 341, 148 and 149 IPC by learned Trial Court vide judgement dated 13.1.2016, but they were ordered to released on probation for one year being the first offenders. It is also contended that till date, out of sixteen PWs only one has been examined.

On the other hand learned State counsel has opposed the bail application on the ground that the petitioner was declared proclaimed offender and thus he has misused the concession of bail.

Heard both sides and perused the paper book.

There is no dispute that co-accused of the petitioner have already been convicted under Sections 323, 341, 148 and 149 IPC and were released on probation. Although the petitioner was declared proclaimed offender on 17.2.2014, but he was later on arrested on 3.11.2016 and since then he is in custody and out of sixteen PWs, only one has been examined and as such, the conclusion of trial is likely to take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars any more. In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Mangal Singh alias Bobby be admitted to bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

It is made clear that petitioner will fully co-operate during the proceedings before learned Trial Court and will not seek any

unnecessary adjournment.

Learned trial Court is directed to conclude the trial within a period of six months from the date of receipt of copy of this order.

19.4.2018
Gaurav Sorot

(MAHABIR SINGH SINDHU)
JUDGE

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |