

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-10847 of 2018
Date of Decision: March 20, 2018

Divesh @ Dev Kumar @ Deva

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ashok Paul Batra, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 2 dated 12.01.2011, registered under Sections 326, 325, 323, 34 IPC at Police Station City Abohar.

Learned counsel for the petitioner has contended that the petitioner has been in custody since 21.10.2017. Earlier, he was declared proclaimed offender on 23.09.2015 but that was on account of the fact that he was in custody in another case in Delhi, on the date when he absented from the trial in this case. It is further submitted that a simple injury on a finger of the right hand is attributed to the petitioner. The investigation is complete and the trial is likely to take some time so no useful purpose would be served by keeping the petitioner in custody.

The prayer is opposed by learned State counsel on the ground that the petitioner absented himself during the course of the trial in this case and was declared proclaimed offender.

Keeping in view the totality of the facts and circumstances of this case, it would be just and appropriate to release the petitioner on bail. The trial against the petitioner is not likely to be concluded at an early date as it has not yet

commenced. The petitioner is not in a position to influence the outcome of the trial and if he attempts to do so, his regular bail would be liable to be cancelled.

Accordingly, the petition is allowed. Petitioner – Divesh @ Dev Kumar @ Deva son of Jiwan Singh is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

March 20, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No