

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

219

CRM-M-1263-2018

-1-

DATE OF DECISION :-February 2, 2018

INDRAJ SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr. Sarju Puri, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

This is an application for regular bail filed by Indraj Singh an accused in cross-version, DDR No. 21 dated 06.11.2010 for offences under Sections 323, 325, 148, 149 IPC registered in case FIR No. 103 dated 05.11.2010 under sections 447, 506, 511, 148, 149 registered at P.S Rahon, District SBS Nagar. The petitioner had jumped bail during the trial. After issuance of warrants of arrest against him, which were received back unexecuted, the trial Court issued proclamation under Section 82 Cr.P.C which was duly published but the accused failed to appear within stipulated time as such, declared him as a proclaimed offender vide order dated 22.01.2016. He was arrested on 31.10.2017 and presently he is in custody. He had moved an application for regular bail, which was dismissed by the trial Court vide order dated 04.01.2018. As such, he has approached this Court seeking similar relief.

Request is opposed by learned State counsel.

I have heard learned counsel for the petitioner and learned State counsel at considerable length.

Although the conduct of the petitioner has been such that which does not make out a case for grant of regular bail to him. However, keeping in view the fact that he is behind bars for more than three months and by this time, he must have learnt a lesson for absenting from the Court and his further detention would not serve any purpose, he can be granted bail on stringent terms and conditions. Accordingly, the petition is accepted and petitioner is ordered to be released on bail on his furnishing personal bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, SBS Nagar. The surety should have documentary proof of immovable properties within jurisdiction of said Court. Furthermore, the petitioner has to deposit a sum of Rs. 50,000/- in the trial Court and in case, he absents from the Court again, the amount would stand forfeited to the State. However, if he appears regularly in the Court on conclusion of the trial, the amount be refunded to him. However, it is made clear that in case, the petitioner is found indulging in any criminal act at a later stage, his order granting bail would be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

February 2, 2018
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No