

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

CRM No.M-18756 of 2018 (O&M)

Date of Decision: July 30, 2018

Dhiraj Batta @ Dhiru

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Pawandeep Singh, Advocate for
Ms.Arshdeep Kaur, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.54 dated 09.03.2009 under Sections 307, 120-B, 34 IPC and Section 25 of the Arms Act, registered at Police Station Sadar Khanna, District Ludhiana.

Notice of motion.

Ms.Monika Jalota, DAG, Punjab, has put in appearance on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner was earlier granted regular bail in the year 2012 and he was appearing before the trial Court regularly but he absented from the proceedings on 27.11.2017. The

petitioner was declared proclaimed offender on 14.03.2018 and he was again arrested on 24.03.2018. Since then, the petitioner is in custody.

The trial of the case will take long time. The petitioner is not required for custodial interrogation or investigation. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case and in view of the fact that petitioner was appearing before the trial court for the last more than 5 years continuously and without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds in the sum of ₹50,000/- with two sureties in the like amount to the satisfaction of the trial Court/Duty Magistrate.

July 30, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No