

CRM-M No.20969 of 2018

Date of Decision : 25.05.2018

Sandip Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA****Present:** Mr. Rishu Mahajan, Advocate  
for the petitioner.

Mr. K.S. Sidhu, AAG, Punjab.

**SUDIP AHLUWALIA, J. (ORAL)**

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.194 dated 10.10.2014, registered under Sections 307/452/427/506/336/148/149 of the Indian Penal Code and Sections 25/27/54/59 of the Arms Act, at Police Station Kamboj, Amritsar.

2. The petitioner was earlier on bail but after completion of investigation his name was not sent up as an accused in the challan. He was subsequently summoned after an application under Section 319 Cr.P.C. was allowed by the Ld. Trial Court as an additional accused. But the summons were not served upon him as it was found that he had already gone abroad in the meantime. This fact has been clearly noted by the Ld. Additional Sessions Judge, Amritsar in the impugned order dated 05.05.2018.

3. In the opinion of this Court when the petitioner had no knowledge about his summoning and he was not even in India at the relevant time, it cannot be said that he had willfully absented from the proceedings.

4. Furthermore, on his return back to the country, he voluntarily

surrendered himself before the Ld. Trial Court on 17.12.2017 and has remained in custody thereafter.

5. Considering the above background and the long detention undergone by the petitioner pursuant to his voluntary surrender in the Ld. Court below at this stage he may be released on bail to the satisfaction of the Ld. Trial Court.

6. Disposed off.

**(SUDIP AHLUWALIA)**  
**JUDGE**

**25.05.2018**

*Neha*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No