

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

**CRM-M-24416-2018
Date of Decision:06.06.2018**

Mohd Iftkhiar alias Chintu ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. I.P.S. Doabia, Additional AG, Punjab.

G.S. SANDHAWALIA, J. (ORAL)

Petitioner has filed petition under Section 439 of Cr.P.C. and seeks regular bail in FIR No.41 dated 28.04.2013 under Sections 452/323/324/148/149 IPC, P.S. City-2 Malerkotla, District Sangrur in which he was arrested only on 20.05.2017. He had been absent when the challan was presented on 07.11.2014 and he had also been declared proclaimed offender on 11.03.2015. Only when he was arrested in another FIR No.59 dated 11.06.2014 under Sections 307/506/148/149 IPC and Sections 25/54/59 of the Arms Act, PS City-2 Malerkotla on 20.05.2017 the presence could be secured.

Counsel for the petitioner has accordingly vehemently argued that for his non-appearance before the Court, he has already suffered incarceration for a period of one year and sixteen days as per the custody certificate dated 06.06.2018.

Counsel for the State on the other hand submitted that case is fixed for 11.06.2018 before the trial Court for prosecution witnesses.

Keeping in view the offences in question and since he has already been in custody for more than one year, this Court is of the opinion that he is entitled for the benefit of bail as he has suffered enough for his absence and for keeping away from the trial. Accordingly, bail application is allowed subject to furnishing of adequate bail bonds to the satisfaction of the Illaqa Magistrate, Sangrur.

The Court shall further ensure his presence by imposing a heavy security for his release and to ensure that he attends the trial on regular basis.

06.06.2018
pvd

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No