

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-33574 of 2018

Date of Decision: 10.08.2018

Gagandeep Singh

...Petitioner(s)

Versus

The State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Kulwant Singh, Advocate
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.51 dated 23.03.2014 under Sections 379, 411 IPC registered at Police Station City Jagraon, District Ludhiana during the pendency of trial.

Learned counsel for the petitioner has argued that in the aforesaid FIR, the petitioner was already admitted on bail by the trial Court and he was appearing before the trial Court on each and every date. However, on 15.11.2017, he could not appear before the trial Court, as he was attending his ailing wife who had suffered paralysis attack in May, 2017 and was hospitalized. On this count, his bail bonds were forfeited and

the bail was cancelled. He has submitted that the petitioner undertakes to appear before the trial Court on each and every date in case he is admitted on bail.

Learned State counsel has filed custody certificate of the petitioner in Court and submits that he is in custody for more than six months and there is another FIR, of similar nature, against the petitioner and the prosecution has already completed its evidence and the case is fixed for defence evidence.

I have heard learned counsel for the parties.

The allegation against the petitioner is that he has committed theft of a motorcycle, which has been recovered. Considering the fact that the petitioner was already on bail and it is on account of ailment of his wife, he could not appear before the trial Court on 15.11.2017, which led to cancellation of his bail and the fact that he is in custody for more than six months, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

August 10, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No