

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

CRM-M-36503-2018

Date of decision:-9.10.2018

Mandeep Singh @ Semi

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr.Akhilesh Vyas, Advocate
for the petitioner.

Mr.Rakeshinder Singh Sidhu, AAG, Punjab.

H.S. MADAAN, J.

This petition for regular bail has been filed by Mandeep Singh @ Semi – an accused in FIR No.51 dated 12.5.2014, under Sections 363, 366-A, 376, 34 IPC and Section 4 of POCSO Act, 2012, registered at Police Station Verowal, District Tarn Taran.

Briefly stated, the facts of the case, as per prosecution story are that the FIR in question was registered against petitioner - Mandeep Singh @ Semi besides Kuldeep Singh alias Hansa, Harjit Singh, Mandeep Kaur, all residents of village Fatehpur Badeshan, District Tarn Taran as well as Sabbi Singh son of Kulwant Singh. The petitioner Mandeep Singh @ Semi could not be arrested and was declared a

proclaimed offender vide order dated 30.4.2015. His co-accused Mandeep Harjit Singh, Mandeep Kaur, Kanwaljit Singh and Sandeep Singh @ Hansa were tried by Additional Sessions Judge, Tarn Taran, however, the trial resulted in acquittal of Mandeep Kaur, Kanwaljit Singh and Kuldeep Singh alias Hansa whereas main accused Harjit Singh was convicted vide judgment dated 9.3.2017 for the offence under Section 363 IPC. The petitioner was arrested in this case on 8.5.2018 after 3 years and 11 months from the date of registration of the FIR. He had filed an application for regular bail in the Court of Sessions, which was declined by Additional Sessions Judge, Tarn Taran vide order dated 10.7.2018, as such, he has approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The very fact that after registration of the FIR, the petitioner was on run and he could be arrested after 3 years and 11 months from the date of registration of the FIR after he had been declared as a proclaimed offender, goes to show that there is every possibility of his absconding and delaying the trial, if granted bail again. Furthermore, he is shown to be involved in two other criminal cases i.e. in FIR No.51 dated 5.7.2018, under Section 174-A IPC, PS Verowal, Tarn Taran and FIR No.112 dated 23.5.2014, under Section 22 of NDPS Act, PS Beas, meaning thereby that he has got a criminal past. The apprehension expressed by the State counsel that if petitioner is granted bail, there is every likelihood to his

absconding and even trying to tamper with the prosecution evidence cannot be brushed aside lightly.

Therefore, finding no merit in the petition, the same stands dismissed.

9.10.018

Brij

(H.S.MADAAN)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No