

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

HEMLATA
2018.09.07 18:03
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CRM-M-38537-2018 (O&M)

Date of decision:07.09.2018

Sukhwinder Singh @ D.C.

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of bail pending trial in case FIR No. 47 dated 24.02.2015 under Sections 379, 34 of IPC, registered at Police Station Shimlapuri, District Ludhiana.

Learned counsel for the petitioner contends that earlier the petitioner was granted bail in this case. However, due to unavoidable circumstances, he could not appear before the Court below and he was declared proclaimed person. However, he was re-arrested in this case on 17.04.2018. Since then, the petitioner is in custody. Learned counsel for the petitioner further contends that the petitioner has no intention to flee from course of justice. He intends to appear on all the dates before the Court below regularly.

On the other hand, learned State counsel, being instructed by HC Ajmer Singh, submits that since the petitioner had been a proclaimed person for about 2 years, therefore, he could not be granted any further concession of bail.

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In view of the above submissions made by learned counsel for the petitioner, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

07.09.2018
Hemlata

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