

201

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

CRM-M No.3981 of 2018
Date of Decision: 23.04.2018

Sukhwinder Singh @ Jimmi

....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.S. Aulakh, Advocate,
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

1. This is the second anticipatory bail filed by the petitioner.
2. First petition i.e. CRM-M No.6183 of 2016 filed by the petitioner for grant of anticipatory bail was dismissed as withdrawn with a liberty to avail remedy of regular bail vide order dated 23.02.2016.
3. Petitioner was found to be innocent by the police and his name was placed in column no.2. Placing the name of the petitioner in column no.2 has its own background. In police

papers, petitioner was shown to be innocent, however, the Investigating Officer took the stand that he was declared as innocent by the Superintendent of Police (Investigation) and the same was approved by Senior Superintendent of Police, Sri Muktsar Sahib.

4. Fact remains that challan was presented on 30.01.2016 against co-accused.

5. Against the petitioner it was mentioned that he was not arrested because he was not traceable. It was evident that the report of Superintendent of Police (Investigation) could not be taken note of by the Investigating Officer at the time of filing challan against two of the co-accused.

6. The prosecution filed an application under Section 193 Cr.P.C. on 27.03.2017 and the same was allowed by the Additional Sessions Judge on 29.03.2017. Thereafter, proclamation was done on 20.09.2017 and he was declared to be proclaimed offender vide order dated 01.11.2017.

7. Concededly, no FIR under Section 174-A IPC has been registered against the petitioner so far.

8. As per passport entries of the petitioner, he left for Dubai on 23.02.2017 and returned to India on 19.12.2017.

9. In view of aforesaid peculiar facts, petitioner can be asked to appear before the trial Court within 10 days. In the

event of his appearance, he shall be granted bail subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of trial Court.

23.04.2018

jyoti

(RAJ MOHAN SINGH)
JUDGE

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