

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40772-2018(O&M)

Date of decision:09.10.2018

Baljit Singh @ Jagga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.352 dated 27.09.2014 registered under Sections 379, 411 of IPC and Section 22 of NDPS Act, 1985, at Police Station Civil Lines, District Amritsar City.

Learned counsel for the petitioner contends that in this very case, the petitioner was granted concession of bail pending trial. However, due to unavoidable circumstances, the petitioner could not appear on some dates before the trial Court. Resultantly, the petitioner was declared proclaimed offender and his bail was cancelled and bail/surety bonds were forfeited. Later on, the petitioner was arrested on 16.05.2018 and till date, he is in custody. It is further contended that the co-accused of the petitioner have already been convicted and sentenced to imprisonment for the periods, they had already undergone. It is further submitted that the petitioner shall regularly appear before the trial Court and face the trial, in case he is released on bail. Counsel for the petitioner further submits that there is no

other case against the petitioner.

On the other hand, learned counsel for the State submits that since the petitioner had been declared as proclaimed offender earlier. Therefore, possibility of his absconding from the process of Court cannot be ruled out. Learned State counsel does not dispute the fact that there is no other case against the petitioner.

In view of the above submissions made by counsel for the petitioner, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court.

(RAJBIR SEHRAWAT)
JUDGE

09.10.2018
Hemlata

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