

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

CRM-M-40831-2018 (O&M)

Date of decision: 12.10.2018

Kala Singh

...Petitioner(s)

VERSUS

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Anatdeep Singh Sandhu, Advocate.
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.130 dated 24.11.2011 registered for the offences punishable under Sections 420, 34 of Indian Penal Code (for short, "IPC") at Police Station Nihal Singh Wala, District Moga.

Heard.

It has been submitted that the petitioner was initially acquitted by the learned trial Court but in an appeal filed by the complainant, he was summoned and was granted bail. However, the petitioner could not appear in the Court on 8.9.2017 and was declared proclaimed offender.

The petitioner is in custody since 10.5.2018.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Kala Singh son of Billa Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

October 12, 2018

Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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