

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45777-2018 (O&M)

Date of Decision:- 3.12.2018

Varinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rishu Mahajan, Advocate, for the petitioner.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

GURVINDER SINGH GILL, J. (Oral)

Petitioner Varinder Singh seeks grant of regular bail in a case registered against him vide FIR No.73 dated 24.7.2017 under Sections 394, 336, 323, 395 IPC and Sections 25, 27 and 29 of Arms Act, Police Station Maqboolpura, District Amritsar City.

The FIR was lodged at the instance of one Narayan Das who alleged that on 24.7.2017 the present petitioners along with others had voluntarily caused hurt to him in the area of Alpha One Mall, G.T. Road, Amritsar and snatched a bag from him which contained an amount of ₹8,84,905/- by putting him in fear of death by firing shots in the air with pistols.

Notice of the petition was issued to State.

Learned State counsel has however opposed the petition and has submitted that in fact the petitioner had earlier been granted bail but on

account of his absence, his bail was cancelled and was subsequently declared a proclaimed offender and that in these circumstances the petitioner does not deserve the concession of bail.

On the other hand, learned counsel for the petitioner has submitted that his absence was not intentional and was on account of the fact that he was ill and subsequently came to be arrested in another FIR No.93 of 2018, Police Station 'A' Division, Amritsar.

I have considered the rival submissions addressed before this Court. No doubt, the Court cannot take a lenient view in a matter where an accused jumps bail but at the same time this Court finds that after the accused was re-arrested, he has undergone more than 4 months of custody. It will serve sufficient deterrent to the petitioner to be more careful in future. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

It is however made clear that in case the petitioner ever misuses the concession of bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

December 3, 2018

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No