

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

Crl. Misc. No.M-4966 of 2018

Date of decision : 12.02.2018

Gurwinder Singh @ Monu

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. K.S. Aulakh, DAG, Punjab.

ANITA CHAUDHRY, J.

Through the instant petition the petitioner is seeking regular bail in FIR No.1 dated 02.01.2016, registered under Sections 363, 366-A, 376, 120-B IPC and Section 4 of POCSO Act, Police Station City Moga, District Moga.

Counsel for the petitioner contends that the petitioner had been allowed bail under Sections 167(2) Cr.P.C. in May 2016 as the police failed to file the challan on time. The counsel further submits that the petitioner absented from the proceedings on 17.04.2017 and his bail bonds were cancelled but he surrendered later on 26.07.2017 and is in custody since then. Counsel submits that the petitioner undertakes that he would not be absent on any of the dates. The counsel further submits that the case was at the commitment stage and not at the stage of evidence.

The petitioner had been granted the benefit of bail under

Section 167(2) Cr.P.C., however, after a year, he absented. He surrendered after 3 months. He did mis-use the concession of bail granted to him. The petitioner is in custody for the last six months. The trial is taking time. The concession of bail is allowed to him again on the undertaking that he will not absent on any of the dates. The undertaking would be given by him while furnishing bail/surety bonds to the satisfaction of trial Court.

12.02.2018

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No