

CRM-M-6921-2018

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

CRM-M-6921-2018

Date of Decision: 26th March, 2018

Manjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Maninder Singh Bajwa, Advocate, for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.11, dated 27.03.2017, registered at Police Station Lakhewali, District Sri Muktsar Sahib, under Sections 420, 468, 471 and 120-B of the Indian Penal Code.

It is the contention of the learned counsel for the petitioner that initially in the FIR, which was registered against the petitioner, he was not challaned and was kept in column No.2, however, on a supplementary report submitted in Court, petitioner was arrayed as an accused. In the meanwhile, petitioner had shifted from the earlier place of his residence to Bhopal (Madhya Pradesh) and started residing with his sister for earning his livelihood. He was not aware that he has been involved in a criminal case and has been challaned because of which he is declared as proclaimed offender. Petitioner was arrested in this case on 31.07.2017 and since then,

he is in custody. His submission is that all the co-accused are on bail and the petitioner was not associated during investigation and subsequently also, he was not aware of the challan having been presented against him. In any case, he contends that the charges against the petitioner and the other co-accused have already been framed on 06.11.2017 and only one prosecution witness has been examined. He states that the trial is not likely to conclude soon and therefore, prays for grant of regular bail to the petitioner during the trial.

Counsel for the State, on instructions from H.C. Harjinder Singh, Police Station Lakhewali, could not dispute the assertions of the counsel for the petitioner. She, however, states that since the petitioner has been declared a proclaimed offender, he be not granted the concession of bail.

Keeping in view the fact that the petitioner is in custody since 31.07.2017 and the trial is not likely to conclude soon as only one prosecution witness has been examined as also co-accused are already on bail, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court concerned, which may also put some stringent condition(s) to ensure that the petitioner does not abscond.

(AUGUSTINE GEORGE MASIH)
JUDGE

26th March, 2018
Harish

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