

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8439-2018
Date of decision: 09.03.2018

Gurminder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Jigyasa Tanwar, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.194 dated 31.08.2015 under Sections 307/341/323/148/149 IPC, registered at Police Station City Jagraon, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner was granted anticipatory bail by this Court vide order dated 05.05.2016 passed in CRM-M-3924-2016 (Annexure P-2). Counsel for the petitioner further submits that the petitioner was arrested in another FIR No.159 dated 16.11.2016 under Sections 336, 341, 148, 149 IPC and Sections 25-54-59 of Arms Act, Police Station Nihal Singh Wala and therefore, he could not appear before the trial Court in the present FIR. It is further submitted that

after registration of the FIR No.159, the petitioner could not appear before the trial Court on 28.11.2016 and later on, he was declared a proclaimed offender on 16.09.2017. It is also submitted that the petitioner was produced in this case on production warrant on 15.01.2018 and since then, he is in custody, though the application was moved on 29.11.2017 for the production warrants.

Learned State counsel has filed the custody certificate and as per this custody certificate, the petitioner is in judicial lockup since 15.01.2018.

Without commenting anything on merits of the case, considering the fact that the petitioner was granted anticipatory bail and he was arrested in another FIR, where he remained in custody for about three months because of which he did not appear in the present proceedings on 28.11.2016 before the trial Court, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his fresh bail/surety bonds to the satisfaction of trial Court/Illaq Magistrate/Duty Magistrate and subject to payment of costs of Rs.5,000/- to be deposited with the District Legal Services Authority, Ludhiana for delaying the proceedings of the present case.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

09.03.2018
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No