

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

**CRM-M No.10411 of 2019**

Date of Decision: 13.03.2019

Jaspal Singh @ Bitta

....Petitioner

Versus

State of Punjab

....Respondent

***BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY***

Present:- Ms. Satpreet Grewal Kapila, Advocate  
for the petitioner.

Ms. Samina Dhir, D.A.G., Punjab.

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**DAYA CHAUDHARY, J. (ORAL)**

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to petitioner, namely, Jaspal Singh @ Bitta in case FIR No.140 dated 29.11.2009 registered under Sections 447, 427/34 IPC, 1860 at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner was earlier on bail as the offences were bailable and he was wrongly declared as a proclaimed offender as he went to abroad and no service was effected upon him. Co-accused of the petitioner have already been acquitted of the charge by the trial Court. The petitioner had surrendered before the trial Court on 29.01.2019 and since then, he is in custody. Learned counsel also submits that the same evidence is there against the petitioner upon which the co-accused have been acquitted of the charge. The petitioner is ready to attend the Court proceedings and to abide by all terms and conditions to be imposed by this Court or by the trial Court.

Learned State counsel has not disputed the submissions made

by learned counsel for the petitioner with regard to custody and acquittal of co-accused by the trial Court.

By considering the custody and also the fact that co-accused of the petitioner have been acquitted of the charge by the trial Court, the present petition is allowed and petitioner, namely, Jaspal Singh @ Bitta is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

13.03.2019  
**gurpreet**

**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No