

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

216)

Crl. Misc. No.M-15775 of 2019(O&M)
Date of Decision: 03.12.2019.

Mandeep Singh @ Manna

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. J.S. Thakur, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

In the context of the contention raised by learned counsel on the last date of hearing, it is to be now observed after consideration, that the petitioner having been declared to be a proclaimed offender in the present case, in fact the other FIR registered eventually arraigning the petitioner as an accused therein for the alleged commission of an offence punishable under Section 302 of the IPC, would have no bearing on the present case, that FIR having been registered on 28.06.2018, with him having absconded from the trial after being admitted to bail in the present case in the year 2014.

Hence, obviously he did not remain absconding on account of being an accused in that FIR.

That being so and with him not having surrendered before the trial court but having been brought before that court after arrest, I see no

reason to entertain this petition, which is consequently dismissed.

However, the petitioner having remained in custody for the past 10 months, with his co-accused stated to have been convicted for the commission of an offence punishable under Section 411 of the IPC, with a 2 year sentence imposed upon them, the trial court is directed to ensure that the trial is expedited.

If the prosecution witnesses who are stated to be Government officials, including the police officials, do not appear to testify before that court on time, the petitioner would be at liberty to file an appropriate application again.

03.12.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No