

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

**CRM-M No. 31592 of 2019
Date of Decision:-27.09.2019**

Balbir Singh @ Mintu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Balbir Singh Sewak, Addl. A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Balbir Singh @ Mintu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 112 dated 28.07.2007, under Sections 452, 316, 148 and 149 IPC, registered at Police Station Chheharta, District Amritsar. The petitioner was declared proclaimed offender on 12.07.2008 and was arrested on 17.10.2018.

The FIR was registered on the statement of complainant Kuldeep Kaur on the allegations that she is a house lady and about two years back, she got married to Sukhwant Singh. On 11.7.2017 they had a dispute with Phuman Singh, Manga Singh and Jyoti sons of Avtar Singh.

Through the intervention of respectables the matter was compromised in writing. On 24.7.2017 at about 8.30 pm, she alongwith her husband Sukhwant Singh, mother-in-law Gurmeet Kaur and father-in-law Surinder Singh were present in their house, then petitioner alongwith his co-accused entered in their house and caused injuries. The complainant was pregnant of two months at the time of incident. On the next morning her mother-in-law arranged for the vehicle and took her to the hospital and due to beating, the complainant suffered miscarriage. The accused were arrested in the case and trial stood commenced.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated and wrongly declared proclaimed offender on 12.7.2008. He submits that the petitioner was involved in FIR No.69 of 2014, under Section 21/22 of NDPS Act, registered at Police Station Mehta, District Amritsar and when the petitioner was in custody in that case, he was arrested in the present case on 17.10.2018. He further submits that as the petitioner was convicted in FIR No.69, therefore he could not appear before this Court. He further submits that in the said case under NDPS Act, the sentence of the petitioner has been suspended by this Court.

On the other hand, the prayer is opposed by learned State counsel on the ground that the petitioner intentionally remained absent from the trial proceedings for about 10 years.

Considering the background and conduct of the petitioner this Court does not find any valid reason to extend the concession of bail to the petitioner. Therefore, the present petition is dismissed. However, it is

expected that the trial Court shall expeditiously conclude the trial, preferably, by December, 2019.

September 27, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

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