

CRM-M-49618-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49618-2019

Date of Decision: 11th December, 2019

Gurmeet Singh @ Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Satnam Singh Gill, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.85 dated 23.05.2014, registered under Sections 21 and 22 of NDPS Act, at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

Counsel for the petitioner states that in the said FIR, 13 persons were named including the petitioner and out of them, eight were found innocent, two had died and one Tej Partap Singh @ Tabbu, against whom challan was presented, has been acquitted by the trial Court on 17.09.2019. As per the counsel for the petitioner, the petitioner was declared a proclaimed offender on 11.12.2014 and he had applied for a copy of the said order but the same was not supplied to him by the copying agency returning his application with a note that the requisite document is not available on the original file. Counsel for the petitioner further states that he had moved

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an application for anticipatory bail before the Sessions Court, Fatehgarh Sahib, but the same was rejected on 22.10.2019 for the reason that the petitioner was a proclaimed offender. Counsel further states that no recovery is to be effected from the petitioner and one co-accused has already been acquitted and the order declaring him as proclaimed offender has not been supplied to him despite best efforts.

Learned counsel for the State, on instructions from HC Rajinder Kumar, submits that proclaimed offender order is not on the original file and has not disputed the fact that one co-accused has been acquitted on 17.09.2019 and no recovery is to be effected from the petitioner but he presses on the fact that the petitioner has been avoiding the process of law for the last five years.

Heard.

Keeping in view the above, the petitioner is directed to surrender before the trial Court within ten days from today. On his doing so, trial Court shall release him on bail, subject to his furnishing bail/surety bonds to its satisfaction and further subject to his making payment of Rs.10,000/- as fine to be deposited in Institution of Blind in the concerned area. If the petitioner fails to comply with the aforesaid directions, the instant petition shall stand dismissed automatically.

(HARNARESH SINGH GILL)
JUDGE

11th December, 2019
Nisha

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