

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

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CRM-M No.50450 of 2019 (O&M)
DATE OF DECISION : 3rd DECEMBER, 2019

Kaka Singh @ Bunny Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Yashjot Singh Dhaliwal, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.21 dated 23.02.2014 registered under Sections 307, 303, 341, 506, 148 & 149 IPC, at Police Station Daba, District Ludhiana.

It is contended by the counsel for the petitioner that the petitioner was released on bail by suspending his sentence by the lower appellate court. Unfortunately, the petitioner remained absent on some dates, therefore, the bail granted to the petitioner has been cancelled. Thereafter, the petitioner is in custody since 07.02.2019. Still further it is submitted that even the sentence imposed upon the petitioner by the trial court, is one and half year, out of which the petitioner has undergone about eleven months.

On the other hand, learned counsel for the State, on instructions, submits that the petitioner has been absenting and surrendering to the court as per his will. This has resulted in

unnecessarily prolonging the decision of the appeal. However, it is not disputed that the petitioner is in custody for long time after he had surrendered before the lower appellate court.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the lower appellate court.

However, since the appeal is stated to be pending before the lower appellate Court since 2016, therefore, the lower appellate court is requested to take up the appeal itself for final disposal and to take final decision thereon, in accordance with law, within a period of next two months.

3rd DECEMBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>