

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

CRM-M-5462-2020

Date of decision: - 12.02.2020

Sodhi

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. K.D. S. Sodhi, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 133 dated 24.12.2008 registered under Sections 399, 402 IPC and Section 25 of Arms Act, 1959, at Police Station Lambra, District Jalandhar.

Learned counsel for the petitioner states that the petitioner was on bail but somehow he could not appear before the Court at one particular date and was declared as proclaimed offender vide order dated 06.06.2011 and was arrested on 06.08.2019. He further states that 4 co-accused have been acquitted. The petitioner has been in custody since 06.08.2019 and the challan has been presented.

On the instructions from ASI Baldev Singh, learned State counsel states that though 4 co-accused have been acquitted but one co-accused was declared proclaimed offender and has not been arrested till date. Custody certificate by way of affidavit of Narpinder Singh, PPS, Deputy Superintendent Central Jail, Kapurthala, has been filed by the learned State Counsel in Court today. The same is taken on record.

I have heard the learned counsel for the parties. The petitioner has been in custody since 06.08.2019, challan has been presented and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

12.02.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No