

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

**CRM-M-10840-2020
Date of decision: 27.05.2020**

Makhtool Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. S. Manaise, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 82 dated 21.04.2018, registered under Sections 379 and 411 of the IPC and Sections 420, 467, 468, 473, 471, 201, 120-B of the IPC (added later on) at Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner was granted regular bail and was facing trial, however, he absented on 26.10.2018 and was declared a proclaimed offender on 28.05.2019. Thereafter, the petitioner was re-arrested on 14.10.2019 and since then, he is in judicial custody.

Learned counsel for the petitioner further submits that the offences are triable by the Court of a Magistrate and the petitioner undertakes to appear before the Court regularly.

Learned State counsel has not disputed the factual position as submitted by learned counsel for the petitioner.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner was earlier granted regular bail and stands re-arrested on 14.10.2019 after his bail/surety bonds were cancelled declaring him a proclaimed offender and since then he is in judicial custody and also in view of the fact that conclusion of trial may take a long time being a magisterial trial, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two heavy sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

However, this will be subject to deposit of Rs. 5,000/- as costs with the District Legal Services Authority, concerned.

27.05.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No