

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

(Proceedings conducted through video Conference)

211

CRM-M-17199-2020 (O&M)

Date of decision: 17.07.2020

JAGGA @ SARABJIT SINGH @ LABRA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Amandeep S. Manaise, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail pending trial pertaining to FIR No.35 dated 17.06.2017 registered at Police Station Bhaini Mian Khan, District Gurdaspur for offence under Sections 380, 411 and 457 IPC.

Heard.

Notice of motion to the Advocate General, Punjab.

Mr. MS Nagra, AAG, Punjab, appears on behalf of State of Punjab.

Counsel for the petitioner would argue that petitioner was allowed bail in anticipation of arrest and he had been facing trial before the Court of Judicial Magistrate. He would further argue that though the petitioner became absent from the proceedings on 03.12.2018 and declared as a proclaimed offender on 24.10.2019 but his custody since 11.01.2020 may be a sufficient deterrent against his jumping bail again. He would further submit that petitioner may be released on bail subject to terms and conditions to be ascertained by this court.

Counsel representing State of Punjab has not disputed the factual contentions but has opposed the prayer for bail with the submission that there is no valid explanation for the petitioner having stayed away from proceedings for more than one year who was eventually arrested on 11.01.2020.

The petitioner has been indicted in the crime on the basis of statement made by his co-accused. No recovery of alleged stolen articles

was effected from him. He is in custody since 11.01.2020. The trial may not progress further on account of regular Court work being not conducted due to Covid-19. The custody of the petitioner for the past about 7 months may be a lesson for him not to misuse concession of bail. There is no other criminal case registered against the petitioner.

Without commenting upon merits of the case, petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate, Gurdaspur. However, he shall abide by the following conditions:-

(i)He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(ii)He shall not leave India without previous permission of the Court.

Disposed of.

17.07.2020

ashok

Whether speaking/reasoned:
Whether reportable:

(REKHA MITTAL)

JUDGE

Yes / No
Yes / No