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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17364-2020
Date of decision: 16.07.2020

Harbans Lal @ Kaka

.....Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Hitesh Verma, Advocate, for the petitioner.

Mr. H.S. Sitta, Assistant Advocate General, Punjab.

Sanjay Kumar, J.

The petitioner is one of the accused in FIR No. 82 dated 20.07.2003 on the file of Police Station Bilga, District Jalandhar, registered under Sections 354, 506 and 34 IPC. He was declared a proclaimed offender as he did not appear before the trial Court. By way of this petition, he seeks grant of anticipatory bail.

It is the case of the petitioner that he was unaware of the proceedings as he had left to the United Kingdom. The present petition is also instituted through his special power-of-attorney holder, as he is still stationed abroad.

Significant to note, the co-accused of the petitioner stood trial in Criminal Case No. 33/1 of 2003 on the file of the learned Sub Divisional Judicial Magistrate, Phillaur, and by judgment dated 01.03.2007, they were

both acquitted of all charges. It was only due to the fact that the petitioner was declared a proclaimed offender that the case was kept alive against him.

In that view of the matter, the petitioner would be entitled to relief at this stage, subject to conditions.

The petition is accordingly allowed directing the release of the petitioner on bail in the event of his arrest in FIR No. 82 dated 20.07.2003 on the file of Police Station Bilga, District Jalandhar, subject to the petitioner furnishing a personal bond for a sum of Rs. 20,000/- along with two sureties for a like sum each to the satisfaction of the Investigating/Arresting Officer. The petitioner shall join the investigation within two months and co-operate fully with the investigation, if any, undertaken against him and shall abide by all the other conditions prescribed under Section 438(2).

(SANJAY KUMAR)
JUDGE

16.07.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no