

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 214

CRM-M-18191-2020

Date of decision : 10.09.2020

Sukhwinder Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Priyavrat Parashar, Advocate, for the petitioner.

Mr.B.S.Virk, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.318 dated 18.06.2016, registered under Sections 420 and 120-B IPC and Section 3(2) of the Haryana Protection of Interest of Depositories in Financial Establishment Act, 2013 at Police Station Sadar Thanesar, Kurukshetra.

The case of the prosecution is that that the petitioner, alongwith his co-accused, in a fraudulent manner, collected Rs.2,70,700/- on the pretext of opening a beauty parlour, sewing centre and computer centre in the name of Swaran Sangam Siksha Sansthan, District Kurukshetra. However, after collecting the money, the petitioner and his co-accused did not utilise the collected money for the purpose for which they had collected the same and thus defrauded the people.

The petitioner was granted regular bail by the Trial Court but since he absented himself from the Court proceedings he was declared a proclaimed offender and was arrested on 28.02.2020.

Seeking regular bail for the petitioner learned counsel submits that the petitioner was granted regular bail but due to some misunderstanding he did not appear before the Trial Court and was later declared a proclaimed offender. However, he was arrested on 28.02.2020 and has now suffered incarceration for over six months. It is still further submitted that co-accused namely Varunjit Kaur who had also been declared proclaimed offender and against whom there are similar allegations has been granted bail by the Trial Court on 11.05.2020.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner had earlier fled from justice.

For having fled from justice the petitioner has suffered incarceration for over six months; his co-accused who was also declared a proclaimed offender has been granted regular bail by the Trial Court and the trial will take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Kurukshetra the petitioner is directed to be released on bail.

10.09.2020

shamsher

[DEEPAK SIBAL]

JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No