

203 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
2020.07.27 14:16
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**CRM-M-18084-2020
Date of Decision: 27.07.2020**

**KARAN ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Digvijay Nagpal, Advocate, for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner has been arrayed as an accused in the case bearing FIR No. 60 dated 14.03.2018 registered at Police Station Kotwali, District Patiala.

It has been stated by learned counsel for the petitioner that at the first instance, the petitioner was granted concession of bail vide order dated 17.05.2018 by the Court of Session. However, the petitioner failed to appear on 22.07.2019 and his non-bailable warrants were issued. He was granted bail vide order dated 29.08.2019 but could not put appearance on 23.10.2019 and consequently, his bail bonds were also forfeited. However, the petitioner has surrendered on 30.01.2020 and he is in custody since then.

Learned State counsel, on instructions from ASI Major Singh, has not disputed the aforesaid factual position.

Keeping in view the fact that the petitioner is in custody for the last 06 months; he has suffered sufficient incarceration for the lapse on his part in absenting from proceedings and surrendered, of his own, in the

Court on 30.01.2020, no useful purpose will be served by keeping him behind the bars in the present case.

Accordingly, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate/trial Court. This order is subject to the condition that the petitioner will regularly appear before the trial Court on each and every date of hearing and further without prejudice to any proceedings under Section 446 Cr.P.C. that may be initiated by the learned trial Court against the petitioner and his surety.

27.07.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No