

**(Proceedings conducted through video conferencing on account of
Covid-19 Pandemic)**

**CRM-M-19382-2020
Date of Decision: 06.08.2020**

TIRLOK SINGH @ TIRLOKI ... PETITIONER

VS.

STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. A.S.Khosa, Advocate, for the petitioner.

Mr. Pawan Sharda, Sr. Deputy Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

Tirlok Singh @ Tirloki, the petitioner has been arrayed as an accused in case FIR No. 156 dated 27.12.2016 under Section 379-B IPC registered at Police Station Sadar Fazilka, District Fazilka.

At the first instance, the petitioner was admitted on bail and during the course of trial, he absented from proceedings from 09.07.2018. Thereafter, the petitioner was declared proclaimed person on 08.08.2019 and was re-arrested on 02.09.2019. The reason assigned for absence is to the effect that the petitioner was admitted in de-addiction centre. However, it has been conceded by learned counsel for the petitioner that no document with regard to the admission in de-addiction centre is coming forth.

On the contrary, on the instructions from ASI Desh Singh, it has been pointed out by learned State counsel that three other cases of similar nature have been registered against the petitioner though he is on bail in those cases.

It may be mentioned here that at the earlier instance, the petitioner was granted bail in the instant case. However, the petitioner had absented from proceedings for a period of one year and his arrest was effected within a period of less than one month from the date when he was declared proclaimed person. The petitioner is in custody for a period exceeding 11 months. He has suffered sufficient incarceration for the lapse on his part in absenting from the proceedings.

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/Illaqa Magistrate/Duty Magistrate/trial Court. However, this order is without prejudice to any proceedings under Section 446 Cr.P.C. that may be initiated against the petitioner and his surety.

06.08.2020
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(VIVEK PURI)
JUDGE

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