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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-19683-2020

Date of Decision: 14.08.2020

Jatinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

=====
In virtual Court
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CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.Umesh Sharma, Advocate,
for the Petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.117 dated 26.07.2018 registered under Sections 363, 366-A, 34 IPC 1860 and Section 376-D, 120-B, 109, 328, 34 IPC 1860 and Section 6 and 16 of POSCO Act added subsequently registered at Police Station City, Hoshiarpur, District Hoshiarpur (Annexure P-1).

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Otherwise also, earlier petitioner was granted bail pending trial in this case, however, due to the circumstances beyond control of the petitioner, he could not appear before the trial Court on 05.10.2019 and on some dates subsequently. Thereafter, the petitioner was taken into custody on 09.02.2020 and since then, he is in continuous custody.

Main accused of the case has already been granted bail pending trial. The evidence of the prosecution is yet to start and therefore, trial is likely to take long time.

Notice of motion.

Mr.Ramnddeep Sandhu, Sr.DAG Punjab, accepts notice on behalf of respondent State.

The counsel for the State, being instructed by ASI Jagdish Lal, submits that name of the petitioner is specifically mentioned in the case. Despite having been granted bail earlier, the petitioner absented from the Court proceedings. Hence, he does not deserve any concession of bail. However, it is not denied by the counsel for the State that the main accused has already been released on bail. It is also not disputed that after re-arrest of the petitioner, he is in continuous custody since 09.02.2020 and evidence of the prosecution in the trial is yet to start.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

14.08.2020
anil

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>

