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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-21623-2020

Date of decision-07.08.2020

Sheetal Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Sheetal Singh has preferred this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.1 dated 11.01.2013 registered under Sections 201, 409, 420, 465, 467, 468 and 471 of Indian Penal Code, 1860 and Section 13 (1) (d) read with Section 13 (2) of The Prevention of Corruption Act, 1988 at Police Station Vigilance Bureau, Ferozepur, District Ferozepur.

Learned counsel for the petitioner contends that after registration of the FIR, the concession of regular bail was extended to him vide order dated 12.02.2013 passed by learned Chief Judicial Magistrate, Ferozepur. He has invited the attention of the Court to the said fact

contained in the final report filed under Section 173 Cr.P.C (Annexure P-2). He submits that the petitioner regularly continued to appear before the trial Court, however, on 13.12.2019, the petitioner absented from the trial proceedings and therefore, the Ld. Special Judge, Ferozepur cancelled his bail and forfeited the bail bonds. He submits that thereafter, the petitioner was declared proclaimed offender on 27.01.2020 and after his re-arrest on 06.07.2020, the petitioner is behind the bars. He submits that in all there are 61 prosecution witnesses to be examined before the trial Court and only 33 witnesses have been examined so far. According to him, the trial is likely to consume considerable time, therefore, the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Lakhwinder Singh does not dispute the above factual aspect, but contends that the petitioner absented from the trial proceedings and therefore, he was declared proclaimed offender and was re-arrested on 6.7.2020.

Considering the above background, custody of the petitioner, this Court does not find any reason to decline the prayer, particularly when the trial is likely to take considerable time to conclude as the country continues to be in the throes of global pandemic, namely, COVID-19. The petitioner after his re-arrest on 06.07.2020 is presently confined in judicial custody, therefore, his further detention behind the bars may not be justified.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds

to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

07.08.2020

vanita

(MANOJ BAJAJ)
JUDGE

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