

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

(Through Video Conferencing)

CRM-M No. 24202 of 2020 (O&M)

Date of Decision: 27.08.2020

Sher Singh @ Shera

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Prateek Pandit, Advocate,
for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

The prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.8 dated 04.01.2014 under Sections 307, 201 of IPC and Sections 25, 27 of Arms Act, registered at Police Station City Kapurthala, District Kapurthala.

Issue notice of motion.

Mr. Rana Harjasdeep, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent/State.

While praying for bail to the petitioner, learned counsel for the petitioner submitted that the petitioner had been granted bail in the year 2015 by the trial Court, vide order dated 23.04.2015, which is placed on record as Annexure P-2. Subsequently, he did not appear before the trial Court and was declared as Proclaimed Offender in the year 2017. He was arrested on 21.02.2020. The earlier bail application after his arrest was dismissed on 12.06.2020. The second bail application has been moved on the ground that the matter has been compromised between the parties.

Although, it is doubtful as to whether the compromise can be taken into consideration in an offence under Section 307 IPC but the present case is a case of regular bail and that too after the petitioner had been released on bail for the same offence way back in the year 2015. Presently, he is in custody for not appearing before the trial Court and having been declared as Proclaimed Offender. Now, as on date, he is in custody for the last more than six months.

In view of the above, the present petition is allowed, subject to the petitioner giving an undertaking before the trial Court that he will appear regularly before the trial Court, as required. The petitioner is ordered to be released on regular bail on his furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

(NIRMALJIT KAUR)
JUDGE

27.08.2020
sandeep

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No