

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

CRM-M-25739-2020 (O&M)

Date of decision : 03.09.2020

Mulakh Raj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

This is third application for grant of bail filed by the petitioner pending trial in a criminal case arising from FIR No.23 dated 16.01.2015 registered under Sections 406, 420, 120-B of the Indian Penal Code at Police Station City Khanna, District Ludhiana.

Learned Additional Sessions Judge, has noticed that the petitioner has been declared proclaimed person on two occasions as he was regularly absent from the proceedings. The para 4 of the order passed by the learned Additional Sessions Judge, is extracted as under:-

“4. From the perusal of record particularly order dated 24.02.2020 passed by the Ld. Trial Court, it is abundantly clear that accused/applicant was regularly absenting from proceedings of this case. He was declared proclaimed person on two occasions. Although, once he obtained bail

from Hon'ble High Court vide order dated 18.12.2018 passed in CRM-M-54527 of 2018, but thereafter also, he absented from the proceedings. Keeping in view the conduct of the accused/applicant, there is strong apprehension that if the accused/applicant is released on bail, he would again absent from the proceedings of the case. In the considered opinion of this case, it is not a fit case where accused/applicant should be granted bail. Hence, present bail application is ordered to be dismissed. Trial court record alongwith copy of order be returned and file be consigned to record room."

Learned counsel for the State has informed the Court that in fact the petitioner has been declared proclaimed person on three occasions resulting in registration of three FIRs under Section 174-A of the Indian Penal Code, 1860. He further submits that the petitioner is also involved in three more criminal cases of similar nature.

Keeping in view the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

Accordingly, the present petition is dismissed.

03.09.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No