

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

CRM-M-28134-2020 (O&M)
Date of Decision:-13.10.2020

Ganga Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamaljeet Singh Mamrat, Advocate for the petitioner.

Mr. Rana Harjasdeep, DAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered against vide FIR No.90 dated 17.9.2017 under Sections 379-B, 411 and 473 IPC at Police Station Badhni Kalan, District Moga.
2. The petitioner, who had initially been granted bail vide order dated 26.10.2017, passed by the Court of learned Additional Sessions Judge, Moga, subsequently absented and did not appear before the trial Court i.e. the Court of SDJM, Nihal Singh Wala on 20.8.2018 and even on the subsequent dates. Consequently, his bail was cancelled and ultimately he was declared a proclaimed offender on 25.4.2019. The petitioner, thereafter, was arrested on 4.7.2020.

3. The learned counsel for the petitioner has submitted that his absence before the trial Court was not intentional and was on account of the fact that the petitioner happens to be Truck Driver and could not reach the Court in time.
4. I have considered the aforesaid submission.
5. The petitioner remained absent for about 2 years w.e.f. 20.8.2018. Even after, he was declared proclaimed offender on 25.4.2019, it was only on 4.7.2020 that he was arrested. The aforesaid conduct would reflect that there would be chances of the petitioner absconding again. As such, this Court does not find any ground for grant of bail. The petition, as such, is dismissed.
6. It is, however, clarified that in case the petitioner is suffering from any ailment, the Superintendent Jail shall get the petitioner examined from the jail doctor and make the requisite treatment available to him. In case, the petitioner requires any such specialized treatment, which is not available in the jail, then arrangement be made for making available such treatment from any other specialized hospital.

13.10.2020

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No