

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 37564 of 2019 (O&M)

Date of decision : 17.1.2020

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Mukhtiar Singh @ Kala

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Anoop Singla, Advocate for the petitioner

Mr. Rana Harjasdeep Singh, Deputy Advocate General,
Punjab.

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H. S. Madaan, J. (Oral)

This petition for grant of regular bail has been filed by petitioner – Mukhtiar Singh @ Kala, an accused in FIR No. 39 dated 14.2.2019 for offences under Sections 457, 380, 342, 379-B, 506, 411, 210 IPC and offence under Sections 395, 451, 458, 142 IPC (added later on), registered at Police Station City Sri Muktsar Sahib.

Briefly stated facts of the case are that on 14.2.2019 at about 12.15 A.M., complainant Gurmail Singh employed with Punjab Agro Good Grainage Corporation, Sri Muktsar Sahib's Bhai Arjan Godown, Wadhai Road, Sri Muktsar Sahib, was assaulted by 6-7 persons. He was tied with his turban and made to sit in a corner near the boundary wall of Godown. One person with iron rod kept on standing near him. One of the assailants was having kirpan whereas

other persons were having wooden sticks. Thereafter the complainant and other persons were locked in bathroom of the office. Those assailants had taken away about 250 bags of wheat weighing 50 kgs each and also taken away a sum of Rs.13,000/- from the other room after breaking open the lock of trunk.

Formal FIR was registered. The accused was arrested in this case. After completion of investigation challan has been filed and the matter is pending trial.

The petitioner had moved an application for regular bail before the Sessions Judge, Sri Muktsar Sahib, which was dismissed on 29.3.2019. He has approached this Court asking for similar relief, which is being resisted by the State.

As per the status report filed by the State counsel, the petitioner is involved in as much as 10 criminal cases. That being so, he has got a past criminal record. The trial is going on and as informed by the State counsel, 3 PWs cited by the prosecution out of 30 witnesses have been examined. It is stated that wife of the petitioner is sick.

However, I find that keeping in view the facts and circumstances of the case and considering that he is involved in 10 criminal cases, I find that it would not be proper and appropriate, to grant the concession of bail to him, since there is reasonable apprehension of his absconding and tempering with the prosecution evidence, if granted bail and taking to the path of crime again.

Therefore, the petition is dismissed.

However, the trial Court is directed to expedite the trial and

conclude it expeditiously , preferably, within a period of six months
from the date of receipt of a copy of this order in that Court.

17.1.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No