

CRM-M-4850-2021(O&M)

Date of decision : 08.02.2021

Jaspreet Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Sandeep Verma, Advocate for the petitioner.

Mr.Sukhbir Singh, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks regular bail pending trial in FIR No.95 dated 23.09.2015, under Sections 399, 402, 411 and 413 IPC, registered at Police Station Mehna, District Moga.

As per prosecution version, secret information having been received as regards a number of persons making preparation to commit dacoity and armed with weapons, a raid was conducted and the present petitioner was allegedly apprehended and a recovery of 0.32 bore pistol along with four live cartridges was effected.

Petitioner was arrested on 23.09.2015. Vide order dated 16.03.2016 passed by this Court in CRM-M No. 8513 of 2016, petitioner was granted benefit of bail.

Apparently petitioner abstained from trial proceedings and as such was declared a proclaimed offender on 12.07.2018.

Learned State counsel has opposed the instant petition contending that the conduct of the petitioner disentitles him from the benefit of bail. It is further submitted that petitioner is involved in a number of

other FIRs.

Counsel for the parties have been heard at length.

Undoubtedly petitioner had earlier been granted bail in the instant FIR. He, however, abstained from trial proceedings and was declared a proclaimed offender on 12.07.2018. Be that as it may, he was thereafter arrested on 19.11.2019 and has faced incarceration now for a period of 01 year and 03 months approximately.

Trial is stated to be still at the initial stage and as such would take time to conclude.

As per custody certificate furnished by learned State counsel even though petitioner is involved in a number of other FIRs but he is on bail in all such FIRs.

In view of the above and keeping in view the length of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Moga.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

08.02.2021
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No