

CRM-M-17950-2021

Date of Decision: 08.06.2021

KULDEEP SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. D.K.Bhatti, Advocate, for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

Through instant petition, the petitioner is seeking regular bail in case bearing FIR No.288 dated 03.10.2013 under Sections 379 and 411 IPC registered at Police Station City Nakodar, District Jalandhar.

It has been stated by learned counsel for the petitioner that he alongwith co-accused, namely, Onkar Singh have been charged for having committed the offence under Section 411 IPC. The allegations against the petitioner are with regard to dishonest receipt of 50 bags of wheat. The petitioner was earlier granted bail by the trial Court. However, he was confined in jail in some other case and after his release, he could not put appearance in the Court and has been declared proclaimed person. The petitioner is in custody since 02.01.2021 and the co-accused, namely, Onkar Singh has been convicted and sentenced to undergo rigorous imprisonment for a period of 08 months.

Custody certificate of the petitioner has been placed on record which indicates that the petitioner has undergone imprisonment for 06 months and 16 days.

On the contrary, it has been argued by learned State counsel that the petitioner had absconded and evaded the process of law. He was declared proclaimed person and misused the concession of bail.

Be that as it may, the petitioner is in custody for a period of about 06½ months and he has undergone sufficient incarceration for the lapse on his part in absenting from proceedings. Furthermore, his co-accused has been convicted and sentenced to undergo imprisonment for a period of 08 months and the conclusion of trial is likely to take some time on account of restricted hearing of the Courts due to Covid-19 Pandemic.

In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner and he is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate/Trial Court.

08.06.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No