

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

(Heard through VC)

CRM-M-21386 of 2020 (O&M)
Date of Decision: January 25, 2021

Baldev Singh @ Bello

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Umesh Aggarwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.69 dated 26.04.2010, under Sections 395, 347, 506 of Indian Penal Code, registered at Police Station Chhehrata, Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was on regular bail, however, on account of an accident suffered, he did not put in an appearance and consequently, his bail bonds were cancelled and he was declared as proclaimed offender by the trial court on 01.12.2015. It is argued that he was thereafter arrested on 26.11.2019 and since then, he is in custody in the aforesaid FIR. It is also contended that

conclusion of trial will take sufficient time, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner on the ground that the petitioner had jumped the bail and remained absent for a period of 04 years, therefore, he would not be entitled to grant of regular bail.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 26.11.2019 and conclusion of trial will take sufficient time, as out of total 18 witnesses, 09 witnesses are yet to be examined, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

January 25, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No