

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

Sr. No. 229(1)

CRM-M No. 38496 of 2021

Date of decision : 26.10.2021

Ranjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. B. S. Bajwa, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.107 dated 31.07.2004 registered under Sections 279, 337, 338 and 427 IPC at Police Station Dakha, District Police Commissionerate, Ludhiana.

The petitioner is being prosecuted for having caused an accident due to rash and negligent driving resulting in the complainant getting injured.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the accident was caused due to the complainant's rash and negligent driving; the petitioner has already suffered incarceration of over four months; the petitioner could not have been declared a proclaimed offender as he was not an accused of an offence under which he could be declared so and in this regard attention of this Court is drawn to a judgment of this Court in ***Satinder Singh Vs. The State***

of U.T., Chandigarh & Anr. 2011(2) R.C.R. (Criminal) 89 and that the petitioner's trial which is yet to begin would take long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he was earlier declared a proclaimed offender.

Whether the petitioner could have been declared a proclaimed offender would be debated in **CRM-M No.38581 of 2021 – Ranjit Singh Vs. State of Punjab** through which petition the petitioner has challenged the order of the Trial Court declaring him a proclaimed offender. However, the petitioner is in custody since 21.06.2021; he is no longer required for investigation purposes; he is accused of rash and negligent driving resulting in the complainant getting injured and that the petitioner's trial which is yet to begin is likely to take long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Ludhiana the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

26.10.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No