

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35364-2020 (O&M)

Date of Decision:- 3.9.2021

Sajan

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.K.Choudhary, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Balwinder Kumar.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No. 147, dated 8.11.2017, Police Station Division No.2, District Pathankot, under Sections 379-B, 34 IPC (Sections 411, 420, 465, 467, 468, 471 IPC added later on). The allegations, in nutshell, are that the petitioner had snatched a purse containing Rs.4000/- and a mobile phone of the complainant.
2. Learned counsel for the petitioner submits that the petitioner had initially been granted bail by the trial Court and he had been

appearing regularly till 22.7.2019 when he was absent and on which date his bail was cancelled. Learned counsel submits that thereafter the petitioner moved an application seeking grant of anticipatory bail which was allowed by the Court of Sessions vide order dated 28.2.2020 with a condition that he would be required to furnish bail bonds in the sum of Rs.50,000/- with one surety of the like amount. However, since the petitioner, on account of his financial and social status being a Sweeper, could not furnish the requisite bail bonds and did not even surrender, he ultimately came to be declared a 'Proclaimed Offender' on 9.3.2020. It has been submitted that subsequently the petitioner surrendered before the trial Court on 28.9.2020 and has been in custody ever since the said date. Learned counsel has thus submitted that keeping in view the long custody, he may be granted the concession of bail.

3. Opposing the petition, learned State counsel has submitted that keeping in view the checkered conduct of the petitioner who had earlier absented and subsequently also declared a 'Proclaimed Offender', no case for grant of bail is made out as there is every likelihood that if released on bail, he would flee from justice again.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the nature of allegations wherein the petitioner is alleged to have snatched a purse containing an amount of Rs.4000/- and a mobile phone only and also while bearing in mind that the petitioner as of now has been behind bars since the last about 11 months, it would serve sufficient deterrent to the petitioner to be

more careful in future. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

3.9.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No