

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

CRM-M No.37897 of 2020 (O&M)
Date of Decision.15.01.2021
(Heard through VC)

Ranbir @ Bhanupratap Singh

...Petitioner

Vs

U.T. Chandigarh

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Mr. Gautam Dutt, A.P.P., U.T., Chandigarh.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.53 dated 02.02.2008 under Sections 356, 376 IPC (Section 411 IPC added later on) registered at Police Station Sector 34, Chandigarh.

Counsel for the petitioner herein would contend that the petitioner was allowed bail by the trial Court in the aforesaid FIR, which was registered in the year 2008. However, on account of not putting in appearance, he was declared as a proclaimed offender and subsequently, arrested in some other case on 25.05.2020. It is argued that since then he is in custody and therefore, prays for concession of regular bail.

Learned counsel appearing for the respondent-State opposes the bail application by submitting that the trial has been held up on account of his not putting appearance before the trial Court.

I have heard learned counsel for the parties.

Keeping in view the fact that the petitioner had been allowed bail by the trial Court but he was declared proclaimed offender due to his

non-appearance before the trial Court and subsequently arrested on 25.05.2020, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, the respondent-State will be at liberty to move an application in case the petitioner does not put in appearance even on a single date of hearing. Any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

January 15, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No