

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

CRM-M No.43747 of 2021 (O&M)

Date of Decision:-11.11.2021

Gurpal Singh

.....Petitioner.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Navjot Singh, Advocate
for the petitioner.

Ms. Samina Dhir, D.A.G, Punjab.

MEENAKSHI I. MEHTA, J.

The petitioner herein seeks the relief of regular bail in the criminal case arising out of the FIR bearing No.102 dated 07.10.2017 registered at Police Station Behram, District Nawanshahr, under Sections 307 and 34 IPC as well as Sections 25 and 27 of the Arms Act.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner and his co-accused Ranjit Singh @ Mangi caused firearm injuries to complainant Kulwant Singh and his brother Harwinder Singh.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that initially, the petitioner was found to be innocent and his name had been kept in Column

No.2 in the final police report/charge-sheet and he has been summoned to face trial in this case vide an order passed in the application moved under Section 319 Cr.PC whereas he had no role to play in the alleged crime and it being so, he deserves the relief as prayed for in this petition.

However, learned State counsel argues that the name of the petitioner finds specific mention in the said FIR and he was summoned to face trial vide order Annexure P-4 but he evaded his appearance in the Court in compliance of this order and was, finally, declared a proclaimed offender and keeping in view these facts, the instant petition be dismissed.

Annexure P-4 is the order passed by learned trial Court on 18.08.2018 on an application moved by the complainant through the Public Prosecutor, under Section 319 Cr.PC whereby the petitioner was summoned to face trial. In para 10 of the petition itself, it has been stated that he was declared proclaimed offender on 04.02.2019 and as mentioned in para 7 of the order Annexure P-7 passed by the Court below, he was arrested in this case on 06.09.2021, i.e after more than two and a half years.

Keeping in view the above-discussed facts and circumstances, this Court is of the considered opinion that the petitioner does not deserve the relief of regular bail.

Resultantly, the instant petition stands dismissed accordingly.

November 11, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>