

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

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**CRM-40186-2021 in
CRM-M-46944-2021
Date of Decision: 01.12.2021**

Daljit Singh @ Jeeta

....Applicant/Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. G.S.Sandhu, Advocate for applicant/petitioner.

Mr. Anmol Singh Sandhu, Assistant Advocate General, Punjab.

Lalit Batra, J.(Oral)

CRM-40186-2021

This application under Section 482 Cr.P.C. is for preponing the date of hearing of the main petition, which is already fixed for 28.01.2022.

Notice of application.

At the asking of Court, learned State counsel accepts notice and stated that he has no objection if application is allowed.

In view of the grounds mentioned in the application and no objection by learned State counsel, hearing of the main petition is preponed and is taken on Board today itself.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Daljit Singh @ Jeeta** for grant of regular bail in case FIR No.231 dated 25.12.2014 under Sections 170, 420 and 506 IPC, registered at Police Station City South Moga , District Moga.

Learned counsel for the petitioner *inter alia* contends that in the instant case FIR, petitioner was arrested on 13.06.2015 and vide order dated 24.09.2015 passed by this Court in CRM-M-32125-2015, he was admitted to bail and thereafter, he used to appear before Court concerned on each date of hearing. He further submits that on account of severe illness, petitioner could not appear before Trial Court on 01.09.2016 and after issuance of warrants of arrest and proclamation, vide order dated 18.05.2017, he was declared proclaimed offender. He further submits that petitioner was re-arrested in the instant case FIR on 31.05.2021 and since then, he is languishing in custody. He further urges that though final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court, but till date material prosecution witnesses including complainant have not been examined. He further submits that petitioner shall appear before Trial Court on each date of hearing and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 31.05.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Daljit Singh @ Jeeta** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Moga, as the case may be.

(LALIT BATRA)
JUDGE

01.12.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No