

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-13448-2022

Date of Decision: 5.4.2022

Joginder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Daman Jeet Bhoriwal, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.54 dated 21.4.2013 registered for the offences punishable under Sections 379, 411 IPC at Police Station City Fazilka, District Fazilka.

Counsel for the petitioner submitted that at the initial stage, the petitioner was granted regular bail but thereafter, he got absented and was declared proclaimed person and has been re-arrested on 10.1.2022. He further contended that co-accused, who faced trial, were acquitted vide judgment dated 20.8.2016 (Annexure P-2). He made prayer for grant of regular bail to the petitioner.

Present petition is contested by the State counsel who submitted that the petitioner went underground for about more than 6 years and has been re-arrested recently in January, 2022.

I have considered the submissions made by the counsel for the parties.

Present case is triable by the Court of JMIC. Admittedly, co-accused were acquitted by the trial Court way back in 2016 after conclusion of the trial. The police is yet to present supplementary challan against the petitioner and only thereafter, trial will proceed further. In these circumstances, I am of the view that no purpose is going to be served by keeping the petitioner in custody for indefinite period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

April 5, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No