

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

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CRM-M-19550-2022 (O&M)

Date of Decision: 29.08.2022

UMESH KUMAR

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Deepak Panghal, Advocate
for the petitioner.

Mr. IPS Sabharwal, DAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.221 dated 06.11.2011, registered under Section 22 of the NDPS Act, at Police Station Bhargo Camp, District Jalandhar City.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the petitioner was initially granted regular bail by the learned trial Court vide order dated 17.01.2012 and that the clerk of the Advocate before the Court below informed the petitioner that he had been acquitted and accordingly, the petitioner did not appear before the said Court. He further submits that the petitioner was declared a proclaimed offender on 25.10.2012 and the said fact was not in the knowledge of the petitioner and that the petitioner was re-arrested on 03.02.2022 and since then he has been in custody.

Per contra, learned State counsel, while opposing the prayer for grant of regular bail to the petitioner does not dispute the custody period of the petitioner. He, however, submits that the petitioner remained absconding from the trial for a considerable period of more than nine and a half years and had been nabbed after great efforts. He further submits that, if enlarged on bail, there is every likelihood of the petitioner's absconding again.

I have heard the learned counsel for the parties.

As noticed above, the petitioner has admittedly misused the concession of bail granted to him and absented himself from the proceedings for a period of more than nine and a half years. There is no counter to the said fact by the learned counsel for the petitioner. Rather, learned counsel for the petitioner is unable to explain the reason for such lapse.

In view of the above, no ground is made out to grant the concession of regular bail to the petitioner.

Dismissed.

29.08.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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