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

**CRM-M-23405-2022
Date of Decision: 01.06.2022**

Rishi Pal

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Neeraj Madaan, Advocate,
for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.0072, dated 24.09.2013 under Sections 419, 420, 465, 467, 471 & 120-B of the IPC, registered at Police Station Kabarwala, District Sri Muktsar Sahib.

Learned counsel for the petitioner has submitted that the petitioner was granted bail by the learned trial Court/Illaq Magistrate, which was a default bail under Section 167(2) of the Cr.P.C. and he was ordered to be released on furnishing bail bonds in a sum of Rs.50,000/- each with one surety in the like amount. Thereafter, on 20.02.2019, he was absent without any intimation and therefore, his bail was cancelled and his bail bonds and surety bonds were also forfeited to the State, thereafter, the petitioner was arrested on 29.06.2021 and from thereafter, he is in custody

and therefore, learned counsel for the petitioner has prayed that the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. R.S. Thind, learned Deputy Advocate General, Punjab has stated that the petitioner absented himself from the Court for a long period which is more than 2 years and there is no justification for the same and eventually he was arrested. He further submitted that the petitioner belongs to the Uttar Pradesh and considering the fact that earlier he had jumped the bail and remained absconded for more than two years and thereafter, he was arrested, there is every likelihood that he may again abscond in case he is released on bail and has therefore, opposed the grant of bail to the petitioner.

I have heard the learned counsel for the parties.

The petitioner was granted bail but then he jumped the bail and remained absent on 20.02.2019 vide Annexure P-3 vide which his bail was cancelled and thereafter, for more than two years, he absconded and he is a resident of Uttar Pradesh, thereafter he did not even surrender but was arrested by the Police on 29.06.2021.

On a query being raised during the course of arguments to the learned counsel for the petitioner that as what was the reason and justification for absence, he submitted that the petitioner met with an accident and he was not well. However, there is no record or any document on the basis of which such justification has been made by the learned counsel for the petitioner.

In view of the aforesaid position, this Court is of the view that since the petitioner jumped the bail without any justification and remained

absent for more than two years and eventually he was arrested, therefore, the argument raised by the learned State counsel that there is every apprehension that he may again abscond, cannot be ignored. Consequently, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

01.06.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |