

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM-M-24167-2021 (O&M)
Date of Decision : February 28, 2022

Bachittar Singh @ Gora

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Prateek Pandit, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

CRM-17276-2021

As prayed for, the application is allowed.

CRM-M-24167-2021

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.110 dated 31.07.2016 registered under Sections 420 and 482 of the IPC, 1860 at Police Station Division No.4, District Jalandhar.

Learned counsel for the petitioner argues that initially, the petitioner was declared a proclaimed offender by the trial Court on 07.03.2020 and the said order was passed due to some confusion for the reason that there was an application filed before the trial Court for compounding of offence and the petitioner was informed that the offences

have been compounded whereas, the factual aspect was other way round and in this confusion, the petitioner was declared as a proclaimed offender. Learned counsel for the petitioner submits that the petitioner is behind the bars since April, 2021 and as the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the petitioner is evading law for quite some time though it is a conceded fact that the petitioner is in custody since 15.04.2021. Learned counsel for the respondent-State further submits that the charges have already been framed and the trial is going on.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances of the present case including the allegations alleged and the fact that due to the pandemic of Covid-19, the Courts are working in a restricted manner and the trial is likely to take some time before it concludes coupled with the fact that petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner in case extended concession of regular bail, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

February 28, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No