

CRM-M-41760 of 2022

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

CRM-M-41760 of 2022

Date of decision: 08.12.2022

Amritpal Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Naveen Bawa, Advocate, for the petitioner.
Mr. Ravinder Singh, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

This second petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.92 dated 29.03.2016 under Sections 379, 34 IPC (Section 379-B IPC added later on) and Sections 25 and 27 of the Arms Act, 1959 registered at Police Station Civil Lines, District Amritsar.

Learned counsel for the petitioner submits that the petitioner was granted regular bail by this Court vide order dated 23.05.2017 (Annexure P-2) and was regularly appearing before the trial Court, however, on 25.05.2022 the petitioner could not appear due to his ill health and an application for exemption was moved but the said application was declined; his bail and bail bonds were cancelled and forfeited to the State and arrest warrants were issued for 11.07.2022. Notice to the sureties was issued for the date fixed. He further submits that except for said absence, petitioner has been regularly appearing before the Court. Petitioner is in custody since 18.08.2022 and his bail application filed before the learned Additional

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Sessions Judge, Amritsar, was rejected vide order dated 22.08.2022. Learned counsel further submits that conclusion of trial may take a long time. No useful purpose would be served by keeping the petitioner behind the bars, therefore, he may be granted regular bail.

Learned State counsel could not refute the abovesaid contentions made by learned counsel for the petitioner, however, he submits that the petitioner is involved in four other cases, details of which has been given in the custody certificate dated 07.12.2022 filed today in the Court.

To rebut the abovesaid contention of the learned State counsel, learned counsel for the petitioner has placed on record orders dated 09.01.2020, 30.01.2020, 09.02.2021 and 08.02.2022 whereby petitioner has been acquitted in all the four cases.

Considering overall facts and circumstances of the case, and the fact that petitioner was already on bail and conclusion of trial may take a long time, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

The petition stands disposed off accordingly.

08.12.2022
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No