

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

(THROUGH VIDEO CONFERENCING)

CRM-M-53346-2021

Date of Decision: 20.1.2022

Kashmir Singh alias Gurjeet

....Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Manoj R. Sharma, Advocate
for the petitioner.

Mr. Arun K. Kaundal, 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.162 dated 14.11.2014 registered for the offences punishable under Sections 420, 406, 120-B of Indian Penal Code (for short, "IPC") at Police Station Division No.1, District Pathankot.

Counsel for the petitioner submitted that the petitioner was arrested and was released on regular bail in the present case but later on, during the trial, he jumped bail and his bail was cancelled and finally, he was declared proclaimed offender. He further submitted that later on, he was re-arrested and presently, the petitioner is in custody for the last more than 4 months.

The aforesaid factual position has not been disputed by the counsel for the State.

Admittedly, the petitioner has already been granted bail in case registered under Section 174-A IPC vide order dated 22.10.2021 passed by JMIC, Pathankot. The petitioner was re-arrested after he was declared proclaimed offender. Now he is in custody in the present case for the last 4 months and 11 days as on 19.1.2022. As per detail given in the custody certificate, the petitioner has been acquitted in two other criminal cases which were registered against him. Due to resurgence of Covid-19 cases, it will take sometime for conclusion of the trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further 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.

January 20, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No