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

CRM-M No.54596 of 2022 (O&M)

Date of decision: 21.12.2022

Sandeep Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. Navneet Singh, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.23 dated 18.01.2020, for offence punishable under Section 304-A of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Sadar Mansa, District Mansa.

Counsel for the petitioner has submitted that the petitioner was arrested in the FIR and was later released on bail on 29.07.2020. It is also submitted that after completion of the challan, he was appearing before the trial Court, however on 11.03.2022, he could not appear and later on, he was declared as proclaimed offender on 12.08.2022 and an FIR under Section 174-A IPC was also registered against him. It is further contended that in the said FIR, the petitioner was arrested and was admitted to bail on 12.10.2022. Thereafter, the petitioner applied for regular bail before the trial Court, however, the same was declined

on 14.10.2022 and later on, by the Additional Sessions Judge on 01.11.2022. Lastly, it is submitted that the non-appearance of the petitioner was not intentional and on that account, an FIR under Section 174-A IPC has already been registered and the petitioner is in custody for the last 02 months and 28 days and the conclusion of the trial is likely to take some time.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 02 months and 28 days; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

21.12.2022
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No