

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

218

**CRM-M-56145-2022 (O&M)
Date of decision: 08.12.2022**

Sajan @ Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Fatehjeet Singh, Advocate
for the petitioner.

Mr. Shubham Kaushik, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 173 dated 14.09.2017, registered under Sections 307, 120-B of the IPC and Section 3 of the Explosive Substance Act, 1908 at Police Station Division No. 8, Jalandhar.

Learned counsel for the petitioner submits that the petitioner was initially granted the concession of anticipatory bail by the Court of Sessions and he was facing the trial, however, he absented from the Court proceedings and was declared a proclaimed offender on 08.01.2019. The petitioner surrendered back on 16.03.2019 and vide order dated 10.12.2019 passed in CRM-M-51124-2019, the petitioner was granted the concession of regular bail by this Court.

Learned counsel further submits that on account of noting down a wrong date, the petitioner again absented from the Court

proceedings on 24.03.2022, due to which, he has again been declared a proclaimed offender on 27.07.2022 and his bail/surety bonds have been cancelled.

Learned counsel for the petitioner further submits that the custody of the petitioner is 01 year, 06 months and 17 days and the petitioner has surrendered on 29.08.2022.

Learned State counsel has filed the custody certificate, which reflects that the petitioner has undergone custody of 01 year, 06 months and 17 days as an undertrial. Learned State counsel has opposed the bail on the ground that the petitioner is repeatedly absents from the Court proceedings and on two occasions, he has been declared a proclaimed offender.

Be whatsoever, without commenting upon the merits of the case, considering the fact that on both the occasions, the petitioner has surrendered back and applied for regular bail and also in view of the long judicial custody of the petitioner, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

08.12.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No