

CRM-M-13917-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13917-2023

Date of decision: 20.07.2023

Tarun Mehra

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Balraj Singh Dhull, Advocate,
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.85 dated 16.07.2019, registered at Police Station Division No.8, District Jalandhar, under Sections 323, 324, 326, 341, 148 and 149 IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that no specific injury has been attributed to the petitioner; that the petitioner had been regularly appearing before the trial Court; that owing to Covid-19 pandemic, the petitioner was exempted from personal appearance before the trial Court, and that the petitioner came to know about the proclamation order dated 08.12.2022, when he was arrested by the police on 21.12.2022. It is further submitted that the petitioner has been in custody for the last 07 months; that challan has already been presented and that out of 14 prosecution witnesses, none has been examined so far.

On the other hand, learned State counsel, while opposing the

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grant of bail to the petitioner, submits that the petitioner absented himself from the court proceedings on 30.01.2020 and ultimately, had been declared proclaimed offender, vide order dated 08.12.2022. It is further submitted that the petitioner evaded the process of law for about three years and was arrested on 21.12.2022 and that material prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

No specific injury has been attributed to the petitioner. Though the petitioner had been declared a proclaimed offender, vide order dated 08.12.2022, yet the fact remains that he has been in custody for the last 07 months and that no prosecution witness has been examined so far. As such, trial is moving at a snail's pace and is not likely to conclude anytime in the near future. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

20.07.2023

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No