

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 17737-2023 (O&M)
Date of Decision: 20.04.2023

Angrej Singh

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Raman Mohinder Sharma, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 114 dated 05.11.2015, under Section 406 IPC registered at Police Station Khuhian Sarwar, District Fazilka.

Learned counsel for the petitioner contends that the petitioner is in custody since 16.03.2023. He submits that the petitioner, who is none other than the maternal uncle of the husband of the complainant, was granted anticipatory bail by the Additional Sessions Judge Fazilka vide order dated 27.07.2016 and was facing trial. But on 25.11.2021, he jumped the bail by absenting himself and was declared as a proclaimed offender on 01.06.2022 and was again arrested on 16.03.2022. He further submits that the petitioner has clean antecedents and the challan stands presented as far back as 07.01.2019 and out of total 11 witnesses, 03 have been examined

and conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting tha the offence alleged against the petitioner is serious in nature, however, does not dispute the fact that the challan stands presented and the petitioner has no other antecedents.

Petitioner is in incarceration since 16.03.2023.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the challan stands presented and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

20.04.2023
seema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>