

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

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CRM-M-18418-2023

DATE OF DECISION: 17th JULY, 2023**Manjit Singh****.... Petitioner****Versus****State of Punjab****.... Respondent****CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Nagar Singh, Advocate for
Mr. G.S.Bhinder, Advocate,
for the petitioner.

Mr. G.S.Sandhu, DAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.109 dated 18.06.2021 registered under Section 21 of the Mines and Minerals (Regulation of Development) Act, 1957 (with Sections 379 and 411 IPC added later on) at Police Station City Nakodar, District Jalandhar.

2. It is submitted by the counsel for the petitioner that the allegations against the petitioner are totally false, frivolous, concocted and fabricated. The petitioner is not involved in the crime at all as alleged against him. Otherwise also, in this very case earlier the petitioner was granted the concession of bail by the trial Court. He is in custody only on account of the fact that on some date, he could not appear because of the unavoidable circumstances and therefore, he was

declared proclaimed offender and then arrested. However, even after arrest the petitioner is in custody since 01.02.2023. The petitioner is not required any investigation purpose.

3. On the other hand, learned State Counsel, on instructions from the concerned police official, submits that the petitioner has tried to run away from the process of the Court. Therefore, he does not deserve the concession of bail during the pendency of the trial. However, It is not disputed that earlier the petitioner was released on bail by the trial Court in this very case and due to non-appearance he was declared proclaimed offender. It is also not disputed that the petitioner is in custody since 01.02.2023, after having been arrested.

4. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

17th JULY, 2023

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**(RAJBIR SEHRAWAT)
JUDGE**

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No