

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-24425-2023
Date of Decision.:05.07.2023

Mohan Singh @ RajuPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Parveen Kumar Garg, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.15 dated 08.02.2011 registered under Sections 25, 54, 59 of Arms Act, registered at Police Station Dirba, District Sangrur.

2. It is contended by learned counsel that petitioner was earlier allowed regular bail on 10.02.2011. However, petitioner absented from trial due to which his bail was cancelled and he was ultimately declared proclaimed person on 13.11.2011. Petitioner was then arrested on 22.01.2023.

3. Learned counsel submits that petitioner has no criminal antecedents and has been falsely implicated and having regard to his custody period, he be allowed bail.

4. Learned State counsel has placed on record the status report

along with the custody certificate.

5. Contention of learned State counsel is that petitioner remained absent from trial for almost 12 years having declared proclaimed person and so, he does not deserve to be released on bail.
6. Custody certificate reveals that petitioner is in custody for the last 5 months and 11 days. Although he is involved in one more case bearing FIR No.80 dated 03.05.2011 but he was on bail in that case.
7. Having regard to the nature of allegations and the fact that case is triable by Magistrate and trial is likely to take long time to conclude, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

July 05, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No