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

**CRM-M-26780-2023
Date of Decision: 13.07.2023**

Malkit Singh @ Meeta

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Harmanpreet Singh, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.111, dated 31.05.2013, under Sections 307, 392, 411 & 34 of the IPC and Sections 25/54 of the Arms Act, registered at Police Station Beas Amritsar, District Amritsar.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody since 08.04.2022 which is more than 1 year and 3 months and the trial is not progressing and therefore, he may be considered for grant of regular bail. He further submitted that it is a case where earlier the petitioner was declared Proclaimed Offender by the learned trial Court but the reason for the absence was that he was already in custody in some other case and therefore, could not present himself in the Court. He submitted that now considering the

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custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Sarabjit Singh Cheema, learned DAG, Punjab submitted that it is a case where earlier the bail petition of the petitioner was dismissed on merits by this Court on 10.10.2022 and submitted that in the present case when the challan was presented on 12.03.2015 qua the petitioner, he absented himself from the Court and later on he was declared P.O. The petitioner remained P.O. for more than 4 years and later on he was arrested on 08.04.2022. He further submitted that now in case the petitioner is granted regular bail then there is a strong apprehension that he may again abscond. He also submitted that the petitioner is a habitual offender and is involved in 17 more cases and most of the cases are similar in nature. He also submitted that there was a recovery of country-made pistol from the petitioner and he is a habitual offender and therefore, has vehemently opposed the grant of regular bail to the petitioner.

5. I have heard the learned counsels for the parties.

6. It is a case where earlier the petitioner was declared P.O. and he remained as such for four years. As per the learned State counsel, the petitioner is involved in 17 such like similar cases and is a habitual offender. The apprehension which has been expressed by the learned State counsel is that in case the petitioner is released on bail then he may abscond from justice, cannot be ignored and carries weight.

7. Consequently, finding no merit in the present petition, the same is hereby dismissed.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose

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of decision of present petition.

13.07.2023

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned | Yes/No |
| 2. Whether reportable: | Yes/No |