

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-26907-2023

Date of decision: 20.09.2023

Palwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ankit Kharbanda, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.0321 dated 06.09.2015 under Sections 394, 379B and 34 of the IPC (Section 397B of the IPC added lateron) registered at Police Station A Division, Amritsar.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand for allegedly snatching the purse of the complainant along with the co-accused after inflicting an injury on his hand. It has been submitted that the petitioner has now been in custody since 06.02.2023 and 10 prosecution witnesses still remain to be examined, hence, there is no likelihood of the trial concluding in the near future.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Balwinder Singh, has submitted that no doubt only 07 prosecution witnesses out of the 17 have been examined, however, the petitioner had absconded during the trial on 05.04.2022

and it was only on 06.02.2023 that he could be arrested. It has also been submitted that during the time when the petitioner had absconded, he had been yet again involved in another criminal case. Learned State counsel, on further instructions, submits that other than the present case, the petitioner is involved in following criminal cases:-

(i) FIR No.44 dated 28.04.2023 under Sections 22/22/61/85 of the NDPS Act registered at Police Station E-Divn.

(ii) FIR No.57 dated 17.05.2015 under Sections 61-1-14 of the Excise Act registered at Police Station GRP Amritsar.

(iii) FIR No.56 dated 17.05.2015 under Sections 61-1-14 of the Excise Act registered at Police Station GRP Amritsar.

(iv) FIR No.288 dated 25.11.2015 under Sections 22/61/85 of the NDPS Act registered at Police Station Sultanwind, Amritsar.

(v) FIR No.09 dated 04.09.2017 under Sections 109/151 of the Cr.P.C. registered at Police Station C-Division, Amritsar.

(vi) FIR No.65 dated 26.07.2021 under Sections 399, 402 of the IPC, Section 25 of the Arms Act registered at Police Station Valtoha, Tarn Taran.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to extend the concession of bail to the petitioner, moreso, since he comes across as a habitual offender and had also been involved in a criminal case during the time when he had absconded.

6. Accordingly, the instant petition is dismissed. However, it

is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. At this stage, a prayer has been made by learned counsel for the petitioner that directions be issued to the Trial Court to expedite the trial.

8. The Trial Court shall make earnest efforts to conclude the trial expeditiously preferably within 06 months from today.

20.09.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No