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2023:PHHC:099715

IN THE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

CRM-M-36637-2023

Date of decision: 3rd August, 2023

Harphool Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P.S. Sekhon, Advocate for the petitioner(s).

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

1. The present petition has been filed under Section 439 of Cr.P.C. seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
35	12 th May, 2015	Kiratpur Sahib, District Rupnagar (Ropar)	382 read with Section 34 IPC, 1860 (offence under Sections 379-B and 411 IPC added later on)

2. The petitioner is accused in FIR No. 35, dated 12th May, 2015 and was granted bail on 25th October, 2016. He jumped the bail and was declared proclaimed offender on 16th April, 2018. He surrendered on 7th January, 2023.

3. Learned counsel for the petitioner submits that petitioner is in custody since January, 2023 and conclusion of the trial is likely to take time. He further submits that other accused have been acquitted and the petitioner to show his bonafide would furnish a cash security of ₹50,000/-.

4. Learned State counsel opposes the prayer and on instructions from SI Surjit Singh submits that petitioner was absconding for more than four and half year.

5. Without commenting upon the merits of the case, having conspectus of the facts and considering that offer made by the petitioner reasonably meets the apprehension made by State counsel that the petitioner would abscond, petitioner has no criminal antecedents and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing cash security of ₹50,000/- with the trial Court. The amount deposited shall be kept in an FDR with the nationalized bank which shall be subject to outcome of the trial. In case of failure of petitioner to appear before the trial Court as and when statutorily required, the amount deposited shall be forfeited.

6. The petition is allowed.

7. Since the main case has been allowed, pending application if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

3rd August, 2023

Parveen Sharma

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