

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-44285-2023

Date of decision: 11.10.2023

Sarabjit Singh

....Petitioner

V/s

State of U.T., Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. S.S. Maini, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, Addl. P.P., U.T. Chandigarh.

DEEPAK GUPTA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case FIR No.47, dated 08.02.2015, registered under Sections 420, 467, 468, 471 of the IPC at Police Station Industrial Area, Chandigarh.

Learned State counsel is not able to clarify as to whether proceedings under Section 446 of the Cr.P.C were initiated against the petitioner or not. However, custody certificate dated 11.10.2023 in respect of the petitioner has been placed on record.

What emerges on perusal of the paper-book is that the petitioner was earlier on bail in the trial arising out of FIR No.47 dated 08.02.2015 registered at Police Station Industrial Area, Chandigarh under Sections 420, 467, 468 and 471 of the IPC.

However, the petitioner absented from trial on 19.07.2019. The presence of the petitioner could not be procured and ultimately he was

declared proclaimed offender. He was later on arrested on 05.04.2023 and ever since then he is in custody.

A perusal of the custody certificate reveals that the petitioner is in custody for the last 6 months and 29 days.

Having regard to the aforesaid circumstances, this petition is hereby disposed of with a direction to the trial Court to initiate proceedings under Section 446 of the Cr.P.C. against the petitioner, if not initiated so far and after disposal of those proceedings, to admit the petitioner to bail to its satisfaction.

Disposed of.

(DEEPAK GUPTA)
JUDGE

October 11, 2023
vcgarg

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