

CRM-M No.706 of 2024

2024:PHHC:009720

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

283

CRM-M No.706 of 2024
Date of Decision: 24.01.2024

DALJEET SINGH (DALJIT SINGH) ALIAS KAKUPetitioner

Vs
STATE OF PUNJAB

....Respondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Yaseen Sethi, Advocate for
Mr. V.K. Sandhir, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.138 dated 28.08.2017 registered under Sections 380/454/411 IPC at P.S. Lopoke, District Amritsar.
2. Learned counsel for the petitioner submits that the petitioner has been implicated with the allegations of breaking into house of the complainant and committing theft to the tune of Rs.20,000/- along with one gold ring/mobile/PAN Card and three ATM Cards.
3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that petitioner is in the habit of absenting himself and misusing the concession of bail.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.
5. In the present case, the petitioner having absented himself on 01.04.2023 was arrested on 08.09.2023 and since then he has already undergone almost 04 months and 16 days. The trial is going on since the year 2017 and the petitioner has suffered incarceration of protracted trial.
6. Considering the fact that the petitioner has already suffered incarceration for a period of 04 months and 16 days, I do not find any justification to extend the incarceration of the petitioner.
7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, however, considering the fact that petitioner has absented himself twice, suitable conditions regarding imposition of heavy surety bonds and bail bonds be imposed upon him subject to satisfaction of the concerned Trial Court/Duty Magistrate.

January 24, 2024

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(HARKESH MANUJA)
JUDGE

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