

CRM-M-488-2024

2024:PHHC:045658

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220 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-488-2024

Decided on:-04.04.2024

Manmit Singh @ Vijay

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivender Pal Singh, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate,
for the petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail to the petitioner, pending trial in case FIR No.239 dated 11.11.2018, registered under Sections 379, 379-B, 411 and 201 IPC, at Police Station Chheharta, District Amritsar.

2. Learned counsel for the petitioner submits that the petitioner has been implicated with the allegations of doing snatching in different places in Amritsar from the tourists, while they were travelling through autorikshaws.

He further submits that initially the petitioner was granted the concession of regular bail vide order dated 02.01.2019 passed by learned Sessions Judge, Amritsar and thereafter, he was regularly appearing before

the Court concerned, but for 18.10.2021 on account of his absence, his bail was cancelled and bail/surety bonds were forfeited. Thereafter, the petitioner was declared as proclaimed offender on 18.09.2023. Subsequently, the petitioner was arrested on 21.12.2023 and since then he is custody.

3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner having granted the concession of regular bail, intentionally absented himself before the court concerned just to delay the proceedings and thus, prays for dismissal of the present petition.

4. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

5. Initially, the petitioner was granted the concession of regular bail in the present FIR by learned Sessions Judge, Amritsar vide order dated 02.01.2019 and was regularly appearing before the trial Court, but for 18.10.2021, on account of his absence, his bail was cancelled and bail/surety bonds were forfeited to the State, followed by his declaration as proclaimed offender on 18.09.2023. Thereafter, the petitioner was arrested by the police on 21.12.2023 and since then he is in custody i.e. for the past more than 3½ months and has suffered a lot on account of his absence from the Court, thus, I do not find any justification to extend the incarceration of the petitioner.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety

bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

04.04.2024
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(HARKESH MANUJA)
JUDGE

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