

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

224

**2024:PHHC:048388
CRM-M-8638-2024
Date of Decision.:09.04.2024**

Baldev Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:-HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Mahal, Advocate for the petitioner.

Mr. Baljinder Singh, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.0077 dated 09.10.2019 registered under Sections 379-B and 34 of the IPC and Section 473 of IPC added later on vide rapat No.17 dated 08.09.2020 and Section 411 of IPC added later on vide rapat No.27 dated 05.10.2020, registered at Police Station Ghania Ke Bangar, Police District Batala, District Gurdaspur.

2. Learned counsel contends that the petitioner was earlier granted regular bail by the Court on 24.04.2023. Later on, he was arrested in another case bearing FIR No.124, dated 03.05.2022, under Sections 395 of IPC, registered at Police Station Cantonment(Cantt) Amritsar as is evident from order dated 05.06.2023 (Annexure P-3), due to which petitioner could not appear in the present case. Due to non-appearance, his bail was cancelled and warrant for arrest and then proclamation was issued.

3. Learned counsel for the petitioner submits that petitioner then surrendered before the Court on 14.07.2023 and applied for bail but Sessions

Judge, Gurdaspur rejected the petitioner's bail on 29.11.2023. Learned counsel submits that the petitioner is now in custody since 14.07.2023.

4. Learned State counsel has opposed the bail petition on account of the criminal antecedents of the petitioner by submitting that he is involved in 8 other cases as per details given in the status report.

5. Replying to the aforesaid antecedents, learned counsel for the petitioner submits that the petitioner has been acquitted in two of the 8 cases bearing FIR No. 209 of 2010 and FIR No.183 of 2013 ; whereas he has already undergone sentence in three of the cases arising out of FIR No.63 of 2011; FIR No.69 of 2011 and FIR No.74 of 2011. Learned counsel also submits that the petitioner is presently facing trial in only one other case.

6. Learned State counsel does not dispute that the petitioner is in custody ever since 14.07.2023. Petitioner was earlier on bail which was cancelled due to his non-appearance on account of his arrest in another case. After his surrender on 14.07.2023, he is in custody since then. No purpose shall be served by keeping him detained, as trial may take time to conclude.

7. Considering the aforesaid facts and circumstances but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

April 09, 2024
Poonam Sharma

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No