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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31560-2024 (O&M)

Date of Decision: 12.09.2024

Harwinder Singh @ Sony

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Munish Garg, Advocate, for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.66 dated 19.04.2020, under Section 379-B IPC (Sections 341/411/34/201/506 IPC added later on), registered at Police Station Barnala, District Barnala.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in custody for about 1 year and earlier he was granted bail by this Court on 06.10.2020 and after his release, he could not present himself before the learned trial Court and his bail was cancelled and he was declared a proclaimed person and thereafter, he was arrested. He submitted that the petitioner is in custody for about 1 year and the allegation was only pertaining to snatching of a purse containing Rs. 28,000/- in cash alongwith other co-accused and, therefore, the petitioner may be considered for the grant of regular bail.



4. On the other hand, Mr. Rajiv Verma, DAG, Punjab has opposed the grant of bail on the ground that the petitioner after being granted bail, he jumped the bail and did not present himself before the learned trial Court and the learned trial had rather declared him as proclaimed person and thereafter, he was arrested and considering the conduct of the petitioner, he does not deserve the concession of regular bail. He submitted that he remained at large for more than 1 year and was again arrested on 22.11.2023.

5. I have heard the learned counsel for the parties.

6. The petitioner earlier also filed a petition before this Court and this Court had granted bail to the petitioner vide Annexure P-3 on 06.10.2020. Thereafter, as per the learned counsel for the parties, the petitioner absented from the proceedings of the learned trial Court and thereafter, on 13.09.2022, his personal bonds and surety bonds were cancelled and forfeited to the State. On 17.11.2023, he was declared as proclaimed person and thereafter, he was again arrested on 22.11.2023 and in this way, he remained at large for more than 1 year after jumping the bail.

7. This Court is of the considered view that in view of the aforesaid facts and circumstances and the conduct of the petitioner, the petitioner does not deserve the concession of regular bail.

6. Consequently, the present petition is dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

12.09.2024

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking

: Yes/No

Whether reportable

: Yes/No