

(2012) 04 P&H CK 0097

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous 18770 of 2012 and Criminal Miscellaneous No. M-8113 of 2012 (O and M)

Mohinder Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: April 3, 2012

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 439
- Penal Code, 1860 (IPC) - Section 120B, 212

Hon'ble Judges: Rajan Gupta, J

Bench: Single Bench

Advocate: R.S Bains, for the Appellant; Raghbir Chaudhary, D.A.G. Punjab, for the Respondent

Judgement

Rajan Gupta, J.

Crl. Misc. No. 18770 of 2012

1. This is an application for making certain corrections in the head note as well as in the prayer clause of the main petition. Application is allowed as prayed for. Registry to carry out necessary correction.

Main case.

2. This is a petition u/s 439 Cr.P.C. seeking regular bail in a criminal complaint No. 41/4 of 10.4.2007 under Sections 212 read with Section 120-B IPC titled Najar Singh Versus Mohinder Singh, pending in the court of SDJM, Khanna, Punjab.

3. Learned counsel for the petitioner contends that petitioner is in custody since 19.11.2011. According to him, the petitioner is 80 years old man and the only allegations against him is that he harboured his brother-in-law, who was declared as a proclaimed offender. Thus, the petitioner deserves the concession of bail.

4. Learned State counsel has opposed the prayer for bail on the ground that petitioner is an NRI and is likely to abscond.
5. Heard. Keeping in view the fact that petitioner is an old man and trial may take some time to conclude, he deserves to be enlarged on bail. Bail to the satisfaction of CJM/Duty Magistrate, Ludhiana. This, however, shall be subject to heavy surety and/or any other conditions deem fit by the trial court in order to ensure that petitioner does not abscond from the justice.