

IN THE COURT OF VISHESH, (UID No. PB0228),
JUDGE, SPECIAL COURT, JALANDHAR.

CIS No.	BA 2434-2024
CNR	PBJL010075092024
DATE OF INSTITUTION	20.05.2024
DATE OF DECISION	21.06.2024

Manjinder Singh aged about 25 years son of Balwant Singh r/o Village Shamshabad, Tehsil Phillaur, District Jalandhar.

.....Accused/applicants.

Versus

State of Punjab

FIR No.35 dated 26.05.2019
U/S 326,323,324,201,148,149 IPC.
Police Station Nurmahal Jalandhar.

[2nd Application under Section 439 Cr.P.C.]

Present: Sh. B.S. Thapar Advocate for accused/applicant.
Sh. Yadwinder Singh Additional Public Prosecutor for State.

ORDER

1. File put up before me during summer vacations being Duty Judge. The present 2nd bail application has been filed by applicant Manjinder Singh under Section 439 of Cr.P.C. on the averments that applicant had been regularly appearing before learned trial court but due to some unavoidable circumstances, he could not appear in the month of July 2022, consequent upon which, he was declared proclaimed offender. It has been further stated that applicant is in custody since 13.04.2024 and prayer has been made to admit the applicant to bail.
2. Notice of the present bail application given to respondent/ State. Ld. Additional Public Prosecutor appeared on behalf of respondent/ State and contested the present bail application.

3. I have heard learned counsel for the accused/applicant, learned Additional Public Prosecutor for the State and have gone through the police record.

4. Record titled State Vs. Harpreet @ Harbhajan, CHI-242/2019 has been summoned. Perusal of same shows that the applicant has been charge-sheeted for offence punishable u/s 326,323,324,148,149 of IPC. Initially he was on bail, but on 26.07.2022, he absented from the court proceedings. Despite issuance of nonailable warrants of arrest since 09.08.2022 when he failed to put appearance before learned trial court, he was ultimately declared proclaimed person on 19.05.2023 and he has been rearrested on 11.04.2024. No reason whatsoever has been either mentioned in the bail application or argued by learned counsel for applicant to explain his prolonged absence before learned trial court. It is evident that the applicant has held the trial by ransom for a period of almost two years because of his absence before the court. Where the applicant has already been declared as proclaimed person, to my view if he is admitted to bail, there is every likelihood that he will again absent from the court proceedings and will hamper the process of trial. Finding no merits, the present bail application is hereby dismissed. File be consigned to record room, Jalandhar.

Pronounced in Open Court
21.06.2024

Geeta Rani

(Vishesh),
Judge, Special Court,
Jalandhar (UID No.PB0228).
(Duty)