

IN THE COURT OF KANWALJIT SINGH BAJWA,
JUDGE SPECIAL COURT, TARN TARAN
(UID NO. PB-0059)

	CIS No	BA/2100/2025
	CNR No.	PBTT01-004278-2025.
	Date of Institution	17.06.2025
	Date of Decision	11.07.2025

Jaspreet Singh, age about 34 years, son of Tarlok Singh, resident of Village Harike, Tehsil Patti, District Tarn Taran.

-----Applicant/accused

Versus

State of Punjab

-----Respondent

FIR No.

:

13 dated 04.02.2015

Under Section

:

336/148/149 IPC, 25/27/54/59 of
Arms Act and offence under Section
420/467/468/471/201 IPC

Police Station

:

Harike

Application under Section 483 B.N.S.S.

Present: Sh. Hira Singh Sandhu, Advocate, counsel for applicant-accused.
Sh. Satinderjit Singh, Addl. P.P. for State.

ORDER

1. Vide this application, applicant-accused has sought regular bail under Section 483 B.N.S.S. in the aforesaid FIR.
2. It has been contended by learned counsel for the applicant-accused that applicant-accused had been granted the benefit of relief of bail by the Court of Sh. Bishan Saroop, the then learned Addl. Sessions Judge,

Tarn Taran, vide order dated 27.10.2017. Since, the challan of the present case was presented in the absence of applicant-accused, as such, the notice to applicant-accused was ordered to be issued. However, the presence of applicant-accused could not be procured, pursuant to which, the bail order of applicant-accused was cancelled and his bail/surety bonds were cancelled and forfeited to the State by the learned trial Court vide order dated 01.11.2019 and non-bailable warrants of applicant-accused were ordered to be issued. Applicant-accused was declared proclaimed person vide order dated 19.12.2022. It is further submitted that there is enmity between applicant-accused and a gangster namely Lakhbir Singh @ Landa and applicant-accused had threats of his life and liberty at the hands of gangster due to which he could not appear before the learned trial Court. It is further contended that absence of the applicant-accused was neither intentional nor willful and that he is coming into custody since 05.06.2025 since his arrest, and as such, applicant-accused deserves to be granted the concession of regular bail.

3. Trial Court record has been received. Perusal of the same would reveal that applicant-accused had never appeared before the learned Trial Court after presentation of challan in the present FIR and had remained absent from the proceedings and consequently, the bail order of applicant-accused was cancelled and his bail/surety bonds were cancelled and forfeited to the State by the learned trial Court vide order dated 01.11.2019 and

applicant-accused was ordered to be summoned through non bailable warrants of arrest. However, even then the presence of applicant-accused could not be procured, pursuant to which, proclamation against applicant-accused was ordered to be issued and vide order dated 19.12.2022, applicant-accused was declared proclaimed person by the learned trial Court. However, there is no challenge made to the said order dated 19.12.2022 declaring the applicant as proclaimed person. The argument that applicant-accused could not appear due to threat to his life is not sustainable as he could easily move application seeking permanent exemption from the Court proceedings. An accused who after having availed the relief from the Court of law, has failed to adhere to the directions of the bail order, can not be afforded any relief after having been declared as Proclaimed Person.

4. In case titled as **Parminder Singh Garcha Vs. State of Punjab 2003(4) RCR (Criminal), Page 745 (Punjab & Haryana)**, the Hon'ble High Court had observed that *when the accused are absconding, then there is no question of granting anticipatory or regular bail while relying upon the law laid down by Hon'ble Apex Court in SLP (Criminal) No.1403/2002 of 02.09.2002.*

5. Accordingly, in the considered opinion of this Court, since the applicant/accused absconded from the Court and he failed to appear in the Court thereafter, as such, the accused/applicant do not deserve any concession of bail in the present bail matter and as such, this bail application

stands dismissed. Trial Court record be returned alongwith, copy of this order. Bail application file, complete in all respects, be consigned to the record room.

***Pronounced
11.07.2025***

*Kamaljeet Kaur
Stenographer-III*

***Kanwaljit Singh Bajwa
Judge Special Court
Tarn Taran/UID-PB0059***