

**THE COURT OF SMT. PRIYA SOOD,  
SESSIONS JUDGE, TARN TARAN, UID-PB0065**

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|---------------------|---------------------|
| CIS No              | BA/1559/22.         |
| CNR No.             | PBTT01-003133-2022. |
| Date of Institution | 17.06.2022.         |
| Date of Decision    | 21.07.2022.         |

Angrej Singh, aged 31 years, son of Gurmukh Singh, resident of Ward No.1,  
Patti, Tehsil Patti, District Tarn Taran. -----Applicant/accused

Versus

State of Punjab -----Respondent.

FIR No. : 146 dated 18.05.2015.  
Under Section : 379,411 IPC.  
Police Station : Patti.

Application under Section 439 Cr.P.C.

Present: Sh. S.S. Janda, Advocate, counsel for applicant-accused.  
Sh. Charanjit Singh, Addl. P.P. for the State.

**ORDER**

1. Vide this application, applicant-accused has sought regular bail in FIR No.146 dated 18.05.2015, under Section 379,411 IPC, Police Station Patti.

2. Brief facts, relevant for disposal of present bail application are that applicant-accused, who was booked for the offence under Sections 379, 411 IPC, was subsequently released on bail. However, later when the challan was being awaited, accused failed to put in appearance, pursuant to which, arrest warrants of accused were issued. In the meanwhile, challan against the accused was presented and on account of accused failing to appear, despite issuance of arrest warrants, proclamation was issued and, vide order dated 20.01.2016, applicant-accused was declared proclaimed offender. Applicant-accused has now been arrested on 11.02.2022.

3. Learned counsel for applicant-accused has prayed that applicant-accused could not appear before learned Trial Court as applicant-accused missed the date in the remand papers and later on account of fear in his mind, failed to put appearance before learned Trial Court. It is further prayed that accused was not even aware that challan against him has been presented and did not intend to turn his back to the Court. However, due to circumstances beyond his control and on account of ignorance of the procedure, the accused failed to surrender. Applicant-accused is now in custody since 11.02.2022 and since conclusion of the trial shall take time, applicant-accused be granted the concession of regular bail.

4. Per Contra, learned Addl. PP for the State has opposed the bail application on the ground of gravity of offence.

5. I have carefully heard the learned counsel for the applicant-accused, learned Addl. Public Prosecutor for the State and have very keenly gone through the record.

6. Applicant-accused is in custody since 11.02.2022. The proceedings against applicant-accused are yet to commence, which admittedly shall take some time, on account of huge backlog of cases, which have accumulated due to Courts having remained in restrictive mode due to outbreak of Covid-19 pandemic. Balance is required to be struck between the personal liberty of applicant-accused and the apprehension that applicant-accused may again abscond for which stringent condition of furnishing of two sureties by the applicant-accused, may be imposed.

7. The bail application is, thus, allowed and applicant-accused is ordered to be released on bail on his furnishing personal bond with two

sureties, to the satisfaction of Illaqa/Duty Magistrate, subject to the following conditions:-

- i) that he will appear in the court on each and every date of hearing;
- ii) that he will not tamper with the prosecution evidence;
- iii) that he will not leave India without prior permission of the court.

8. It is further directed that despite the accused having been arrested and being repeatedly produced before learned Illaqa Magistrate, the Illaqa Magistrate has not yet requisitioned the original file so as to initiate the trial proceedings. The learned Illaqa Magistrate is directed to look into matter and to ensure that the further proceedings be initiated without delay. Record be returned. File be consigned to the record room.

Pronounced  
21.07.2022  
Jaswinder Singh  
Stenographer-II

Priya Sood  
Sessions Judge  
Tarn Taran/UID-PB0065