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CRM-M-39243-2023

MUKHTAR SINGH @ MUKHA VS STATE OF PUNJAB

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

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The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.72 dated 03.12.2015, registered under Sections 307, 148, 149 IPC and Section 25 of the Arms Act, at Police Station Khilchian, District Amritsar, as he has been summoned under Section 193 Cr.P.C. to face the trial with other accused.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that initially, the *lalkara* was attributed to the petitioner and during investigation, 3-4 alleged accused persons, including the petitioner, have been declared innocent; that thereafter, an application under Section 193 Cr.P.C. was moved and the petitioner along with other co-accused were summoned; that the same was challenged before this Court, wherein the petitioner and other co-accused were granted liberty to appear before the learned trial Court but as the petitioner did not appear before the learned trial Court, 15 days more time was granted to him to appear before the learned trial Court subject to the cost of Rs.3000/-; that as the cost was not deposited by the petitioner, he was declared a proclaimed offender on 29.09.2022 and arrested on 25.04.2023 and that while dismissing his bail application, the only conduct of the petitioner that he remained away from the trial was taken into consideration.

Learned State counsel while opposing the bail to the petitioner, submits that the petitioner is a habitual offender and has been involved in six other cases also. However, he does not dispute the fact that only *lalkara* has been attributed to the petitioner and at one stage, he has been declared innocent and he also does not dispute the custody period of the petitioner. He prays for time to file the status report.

On his request, adjourned to 16.10.2023.

18.08.2023

Mangal Singh

(HARNARESH SINGH GILL)

JUDGE