

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33408-2020

Date of Decision: 27th November, 2020

ANIL MEHTA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Narinder S. Lucky, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J.(oral)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

This is second petition seeking regular bail in case FIR No. 42, dated 2nd March, 2010, under Sections 379, 411 of the Indian Penal Code, 1860 (Section 489 IPC added later on) registered at Police Station Shahkot, Jalandhar.

The FIR was on the basis of a secret information received that the accused (including the petitioner) sells stolen cars after bringing it from different cities. Even on that day they were roaming in the city to sell stolen Maruti Car bearing registration No. PB-08-F-8565. Naka bandi was done where the two accused were arrested alongwith the stolen car.

The petitioner was granted bail by the trial Court, however, he

jumped the bail and absented himself on 25th April, 2013. He was declared

proclaimed offender on 5th December, 2014. Thereafter, he was arrested on 18th January, 2020.

Learned counsel for the petitioner submits that after arrest the petitioner is in custody for almost 11 months. He had met with an accident due to which he was mentally affected and hence, could not attend the trial.

Learned State counsel submits that no proof of the accident or any injury was produced either before the trial Court or in this Court. He is involved in eight other cases and many of them are during the period he jumped the bail. She further submits that he was able to dodge his arrest for almost 7 years.

Learned counsel for the petitioner, at this stage admits the involvement of the petitioner in eight more cases, however, submits that in four cases he was acquitted.

The petitioner had misused the concession of bail, not only jumping it but also by indulging in unlawful activities in the said period. There is another aspect of the matter. The explanation of being mentally affected by an accident, for jumping the bail, is belied from the facts that he was involved in similar type of activities and was violating law during the said period. Moreover, no evidence is either produced with regard to the accident or the petitioner being sick.

Considering the fact of the case, no case is made for grant of bail.

The present petition is dismissed.

At this stage, learned counsel for the petitioner submits that a direction for expediting the trial be issued. Considering that the trial has

been delayed for almost 7 years due to the conduct of the petitioner, no such direction is called for at this stage.

27th November, 2020
sham

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No