

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-13783 of 2015 (O&M)
Date of Decision: May 08, 2015.**

Arshad @ Bugga

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner (s).

Mr. Baljinder Singh Virk, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

Heard.

Notice of motion.

On asking of the court, Mr. Baljinder Singh Virk, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

The petitioner in this case absented from trial on 05.07.2012 and was declared proclaimed offender. His presence could be procured only on 07.02.2015 and since then he is in custody.

Learned counsel for the petitioner submits that some false cases were registered against the petitioner and he remained involved in

the investigation of those cases and ultimately was found innocent. This was the reason for his absence.

Keeping in view this fact and without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Arshad @ Bugga is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of Trial Court/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

The trial Court will take a heavy and local surety. The trial Court may also impose the costs of recalling the witnesses on petitioner, if any, already examined and required to be recalled due to the absence of the petitioner for their examination in the case.

(SURINDER GUPTA)
JUDGE

May 08, 2015.
'raj'