

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

**Criminal Misc. No. M-27792 of 2015
Date of Decision: 08.09.2015**

Hardeep

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. M.S. Rana, Advocate
for the petitioner (s).

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 CrPC is for grant of regular bail to the petitioner in case FIR No.106 dated 30.3.2013 under Sections 148/149/307/302/323/120B/216 IPC, 25/54/59 Arms Act and Section 3 of the SC/ST Act registered at Police Station Meham, District Rohtak.

Initially, the petitioner was granted anticipatory bail by this Court vide order dated 19.8.2014 which was made absolute on 27.10.2014 in CRM-M-28037-2014 *Raj Singh & ors. v. State of*

Haryana. However, vide order dated 6.6.2015, the application of the petitioner - Hardeep son of Jaipal for regular bail has been dismissed by learned Additional Sessions Judge, Rohtak due to his non-appearance on 28.1.2015.

Learned counsel for the petitioner contends that the petitioner could not appear before the trial Court on 28.1.2015 on account of certain unavoidable circumstances and his non-appearance was not intentional. However, he surrendered before the trial Court on 28.2.2015 and is in custody since then.

Taking into consideration the fact that non-appearance of the petitioner on 28.1.2015 was on account of certain unavoidable circumstances and moreover, he has surrendered before the trial Court on 28.2.2015, the petitioner deserves the concession of regular bail. Accordingly, the present petition is allowed and the petitioner is admitted to regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the observations made herein-above shall not be construed as any expression on the merits of the case and the trial Court shall decide the case on the basis of evidence as available on record.

September 08, 2015
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(HARI PAL VERMA)
JUDGE