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

**CRM-M No.7102 of 2015
Date of Decision: 09.03.2015**

SANDEEP

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Surender Deswal, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, D.A.G., Haryana.

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

RAJ MOHAN SINGH, J.

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 Cr.P.C in case bearing FIR No.505 dated 11.11.2012 registered under Sections 148, 149, 447, 307 of IPC and 25 of Arms Act, PS Sadar, Bahadurgarh, Distt. Jhajjar.

For the purposes of appreciating the controversy involved in the present case the prosecution story given in the FIR is not necessary to be taken into consideration. Admittedly, the petitioner was granted regular bail in the aforesaid FIR on 25.03.2013. Thereafter on 09.09.2013, the petitioner absented himself.

Learned counsel appearing on behalf of the petitioner projected that the petitioner is in custody in some different case,

therefore production warrants were sought. The same were issued, returnable on 03.10.2013. On the date fixed neither the petitioner appeared nor he produced in custody as he had already been released on bail on 13.09.2013. Accordingly bail of the petitioner was cancelled on 31.10.2013 and thereafter on four occasions i.e. on 06.11.2013, 02.12.2013, 03.02.2014 and 03.03.2014, petitioner failed to appear before the Court.

On 17.04.2014 petitioner appeared of his own but failed to move any application for grant of bail before the Court.

Inadvertently, the Court recorded the petitioner on bail and allowed him to go.

On the adjourned date i.e. 29.04.2014, petitioner absented himself. Then on 17.05.2014 again petitioner absented himself and on 17.09.2014 the petitioner absented but his counsel made a statement that he had already been arrested on 01.09.2014 in FIR bearing No.520 dated 30.09.2013.

With this background, petitioner now seeks concession of regular bail on the ground that material witnesses have already been declared hostile and the petitioner is in custody w.e.f. 20.10.2014. As against this learned counsel for the State Mr. Chahar, DAG Haryana, states that the petitioner has a dubious past history as he was involved in three more other cases of different nature.

Learned State counsel further states that now out of 21 witnesses 7 prosecution witnesses have already been examined and now the trial is fixed for 12.03.2015 and every endeavor will be made

to complete the prosecution evidence.

Without commenting upon the merits of this case at this stage, let the trial Court make every sincere effort to record statements of remaining prosecution witnesses on the date fixed and try to decide the case expeditiously.

Petition stands disposed of.

March 09, 2015.

Atik

(RAJ MOHAN SINGH)
JUDGE