

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

(119)

CRM-M-22391-2016 (O&M)

Decided on: July 08, 2016.

Mukesh Kumar @ Mahesh @ Mudda

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ravinder Hooda, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner apprehends arrest in a case registered at the instance of Shish Pal alleging that Nibbo and other members of unlawful assembly attacked him. The complainant was fired at by Nibbo. Co-accused of the petitioner have been acquitted. So far as the petitioner is concerned, he was not able to get the acquittal order in his favour as he evaded appearance for period of four years and was declared a proclaimed offender.

Notice to Advocate General, Haryana.

On asking of the Court, Mr. Gurdas Singh Salwara, DAG, Haryana, present in the Court, accepts notice.

Since the petitioner is ready to join the proceedings and face the trial but has not satisfactorily explained his non-appearance for four years, taking into consideration the peculiar circumstances of the case i.e. co-accused of the petitioner having been acquitted; striking a balance

between the right of liberty of the petitioner and the right of the prosecution agency to secure the presence of the petitioner during trial, I deem it appropriate to dispose of this petition with a direction that the petitioner will surrender before the Illaqa Magistrate on 16.07.2016 and in case bail application is moved on that date, notice of the same will be issued to the prosecution agency for 18.07.2016 and the petitioner will be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the said Court.

(M.M.S. BEDI)
JUDGE

July 08, 2016
harsha