

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

**Criminal Misc. No. M-24508 of 2016
Date of Decision:-24.08.2016**

Sandeep @ Lara

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. Paramjit Jakhar, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner during the pendency of the trial in case FIR No.396 dated 8.7.2012, under Sections 148, 149, 323, 324 and 307 IPC, registered at Police Station Hisar Civil Lines, District Hisar.

Learned counsel for the petitioner contends that it is on account of his absence from 12.8.2015 to 21.5.2016 his bail was cancelled. However, he states that the petitioner has surrendered before the trial Court on 21.5.2016 and applied for regular bail, which was declined vide order dated 4.6.2016. He further states that there is no allegation against the petitioner, which may attract Section 307 IPC.

Learned State counsel does not dispute the aforesaid facts and

states that since the petitioner has absented from 12.8.2015 to 21.5.2016, his bail was rightly declined.

I have heard learned counsel for the parties.

There is no dispute that the petitioner remained absent from 12.8.2015 to 21.5.2016 and he surrendered on 21.5.2016 otherwise during trial the petitioner was on bail. The State counsel has not been able to substantiate the allegations which may attract the provision of Section 307 IPC against the petitioner. Therefore, this Court finds that the petitioner is entitled to be released on bail.

Accordingly, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the trial Court. The trial Court may impose any other condition also which it deems fit.

It is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

August 24, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No