

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

CRM-M-29486-2016 (O&M)

Date of decision : 20.09.2016

Kalu Ram @ Krishan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Nippun Sharma, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by SI Ram Niwas.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks anticipatory bail under Section 438 of the Code of Criminal Procedure, in FIR No.1007 dated 07.12.2005, registered under Sections 279, 336 and 427 of the Indian Penal Code, at P.S. Sadar Hisar.

Heard.

It is submitted that the petitioner was regularly appearing before the Court. However, he was informed by the Clerk of learned counsel representing him before the trial Court that he has been acquitted of the charges framed against him. As he stopped appearing before the trial Court, he was declared proclaimed offender and ultimately, another FIR No.629 dated 03.08.2016, under Section 174(A) IPC has been registered against him at P.S. Sadar Hisar. The petitioner is a resident of Rajasthan and an illiterate person. The mother of the petitioner has died on 14.09.2016.

The petitioner was allegedly driving canter bearing registration

ATUL SETHI
I attest to the accuracy and
authenticity of this document
Chandigarh

No.RJ-13-G-1029, which met with an accident with Haryana Roadways bus. However, there was no casualty in the accident. The petitioner was declared proclaimed offender on 19.01.2012.

Considering the fact that the petitioner is an illiterate person and there was no casualty in the accident and he is not involved in any other FIR, the Court is inclined to accept the version rendered by the petitioner.

In the circumstances, in case, the petitioner surrenders before the trial Court within a week from today, he will be admitted to bail in FIR No.1007 dated 07.12.2005 as well as FIR No.629 dated 03.08.2016, subject to furnishing adequate bail bonds and surety bonds, to its satisfaction.

Disposed of.

However, in case of non-compliance of the present order, the State is at liberty to revive the instant petition.

20.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No