

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

CRM No. M-35317 of 2016 (O&M)

Date of decision:- October 07, 2016

ROHIT KUMAR @ ROMI

.....PETITIONER..

VS.

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. K.B. Raheja, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab

JASPAL SINGH, J. (Oral)

Through instant petition preferred under Section 439 of the Code of Criminal Procedure (for brevity, "Code" only), petitioner-Rohit Kumar @ Romi has sought bail during the pendency of trial, in case FIR No.206, dated 24.08.2011, under Sections 399, 402 IPC and Section 25 of the Arms Act, Police Station City Kotkapura, District Faridkot.

2. Undeniably, the petitioner was arrested in this case on 04.09.2011 and was granted regular bail vide order dated 21.11.2011. Thereafter, he has been regularly appearing in the trial court. Lastly, he could not appear and absented from the Court on 02.07.2015. As a result of his absence, his bail orders as well as bail bonds were forfeited to the State.

He was summoned through non-bailable warrants of arrest. Thereafter, he

voluntarily surrendered before the trial court on 09.03.2016, which is suggestive of the fact that his intention was not to flee away from the justice. The disposal of trial would take sufficient long time as still it is lingering on for prosecution evidence.

3. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

October 07, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes

Whether reasonable: No