

CRM No. M-41072 of 2016

DECIDED ON: DECEMBER 05, 2016

PAWAN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Robin Singh Hooda, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioner has sought bail in case FIR No. 251, dated 26.07.2016, under Section 174-A IPC, registered at Police Station Beri, District Jhajjar, during the pendency of trial.

Undoubtedly, petitioner has been facing trial in case bearing FIR No. 237, dated 14.10.2011, under Sections 341, 354 and 34 IPC registered at Police Station Beri, District Jhajjar. During the trial, in the month of September 2011 he slipped away from the proceedings and was ultimately declared proclaimed offender. In the above-referred case, one of the person was taken away by nature during the pendency of trial and another was acquitted. The petitioner was arrested in the instant case on July 26, 2016 and since then he is cooling his heels behind the bars.

On account of the reason that petitioner was declared proclaimed offender, the instant case i.e. FIR No. 251 dated 26.07.2016, under Section 174-A IPC was slapped on the date of his arrest. Concededly, since the date of his arrest, he is suffering incarceration. Now the petitioner is facing trial in both the cases i.e. FIR No. 237/2011 and FIR No. 251/2016 registered at Police Station Beri, District Jhajjar. The disposal of trial is not likely in the near future, as it would certainly take considerable time. Moreover, the petitioner must have learnt the lesson for slipping away from the proceedings without intimation to the Court by now.

Taking into consideration the above-said aspects but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

DECEMBER 05, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*