

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

CRM-M-1299-2017 (O&M)
Date of decision: 23.01.2017

AYUB

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Satish Chaudhary, Advocate
for the petitioner (s).

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Krishan.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.211 dated 11.09.2015, registered under Sections 307 and 420 of the Indian Penal Code (for short 'the IPC') read with Section 34 IPC, at Police Station Bahin, Distt. Palwal.

It is contended that due to some communication gap between the petitioner and his counsel, inadvertently the petitioner could not cause appearance before the trial Court on 22.04.2016. In view of the absence of the petitioner, the process to declare him a proclaimed offender had been initiated. However, when the petitioner came to know about that he himself appeared before the trial Court on 05.12.2016, which is duly admitted by the

learned State counsel.

Heard.

Considering the fact that the petitioner himself surrendered before the trial Court and the explanation given him appears to be plausible, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

23.01.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No