

206.

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

CRM-M-22559-2017

Date of decision:26.07.2017

SANDEEP

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vishal Nehra, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, 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 in case FIR No.195 dated 21.03.2016 under Section 307/120-B IPC and Section 25 of Arms Act, 1959, registered at Police Station City Gohana, District Sonipat.

Learned counsel for the petitioner contends that in the aforesaid FIR, petitioner was admitted on bail by the learned trial Court on 18.07.2016, but he could not appear before the trial Court on 22.09.2016 and non-bailable warrants were issued against him. However, vide order dated 25.10.2016, he was admitted on bail by the trial Court. But thereafter, again on 08.12.2016, he could not appear before the trial Court because of some communication gap and non-bailable warrants were issued against him. He is in custody since

19.12.2016. The petitioner moved an application before the trial Court for bail which was declined vide order dated 01.03.2017 by learned Additional Sessions Judge, Sonipat.

It is in the aforesaid circumstances, the petitioner has filed the present petition.

Learned counsel for the petitioner contends that no doubt the petitioner failed to appear before the trial Court on 08.12.2016 because of non-communication by the office of the conducting lawyer and for this lapse, he is in custody since December, 2016. The petitioner undertakes that in future, he will appear on each and every date and shall not hamper/delay the trial in any manner.

Learned State counsel, on instructions from ASI Joginder Singh, states that the conduct of the petitioner does not warrant any interference in the order passed by the learned Additional Sessions Judge, Sonipat on 01.03.2017 as on two different occasions, he remained absent, which necessitated the trial Court to issue non-bailable warrants.

I have heard learned counsel for the parties.

Though the conduct of the petitioner does not warrant interference, but considering the fact that he being absent on 08.12.2016 and for this default of his non-appearance, he is in custody since December, 2016, the petitioner is admitted on bail on furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court. The court may impose any other strict condition as it may deem fit at the

time of accepting the bail bonds.

Accordingly, the present petition stands disposed of.

(HARI PAL VERMA)
JUDGE

26.07.2017
sanjeev

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No