

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

CRM-M-25083 of 2017.

Decided on:-21.07.2017.

Deepak.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Rahul Jaswal, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (ORAL)

By way of filing the present petition under Section 439 Cr.P.C., the petitioner has sought regular bail in case FIR No.772 dated 30.06.2015 under Sections 392 and 397 IPC and Section 25 of the Arms Act, 1959 registered at Police Station Chandni Bagh, District Panipat.

Learned counsel for the petitioner states that vide order dated July 26, 2016 passed in ***CRM-M-21054 of 2016***, this Court had granted regular bail to the petitioner in the aforesaid FIR. The petitioner was appearing before the trial Court on each and every date of hearing. However, on the relevant date, when the case was fixed for framing of charge before the trial Court, the petitioner failed to appear there and accordingly, proceedings under Section 82 Cr.PC were initiated against him. The petitioner is in custody since 31.01.2017.

Learned State counsel, on instructions from ASI Balwan Singh, states that though the petitioner was admitted on regular bail by this Court,

but he being a resident of Uttar Pradesh, there is likelihood that he may abscond in the case. Even the co-accused, namely, Naresh has already been declared as a proclaimed-offender. There is possibility that the petitioner may also flee away.

I have heard learned counsel for the parties.

There is no dispute that the petitioner was admitted on regular bail by this Court vide order dated July 26, 2016 passed in **CRM-M-21054 of 2016**. Therefore, the contention of learned State counsel that he is likely to flee away cannot be outrightly accepted. However, there is weightage in the contention of learned State counsel that the petitioner belongs to the State of Uttar Pradesh, therefore, some stringent condition is required to be imposed upon the petitioner.

Considering the fact that he is in custody since 31.01.2017 and has shown his inclination to face the trial, the present petition is allowed and the petitioner is ordered to be admitted on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court. The trial Court shall put heavy condition including local surety while releasing the petitioner on bail.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

July 21, 2017
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No