

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

**CRM-M-35013-2017  
Date of decision :10.11.2017**

Harsimranjit

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR.JUSTICE H.S. MADAAN**

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Present : Mr. Krishan M. Vohra, Advocate for  
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana with  
Inspector Karambir Singh.

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**H.S. MADAAN, J. (Oral)**

Petitioner – Harsimranjit an accused in FIR No.27 dated 23.01.2016 for offence under Sections 307/370 IPC and Sections 4, 5 and 7 of Immoral Traffic Act registered with Police Station Sector 5 Panchkula was facing trial in the Court of Additional Sessions, Panchkula.

He had been granted regular bail, but he absented himself from the Court on 22.09.2016. Resultantly, his bonds were cancelled and forfeited to the State and he was ordered to be summoned through Non-bailable warrant. He could not be arrested, as such, proclamation under Section 82 Cr.P.C. against him was published. Since he failed to appear in

the Court within stipulated period, he was declared a proclaimed offender on 09.01.2017. He was arrested on 04.12.2017 and produced in the Court and since then he is in custody. The petitioner had approached the Court of Additional Sessions Judge, Panchkula for grant of regular bail, but his such request was declined vide order dated 02.08.2017 mainly for the reason that on account of his absence, the trial got prolonged.

Feeling aggrieved he has approached this Court asking for similar relief. Notice of the petition was given to the State.

I have heard learned counsel of the parties, besides, going through the record.

No doubt the petitioner by absenting himself from the Court without any intimation has committed a wrong act and by his such act and conduct the trial got prolonged unnecessarily, but at the same time it has to be kept in mind that he is in custody for last more than 9 months. He must have learnt a lesson for absenting himself from the Court by now.

In my considered view his request for grant of regular bail should be accepted may be by imposing stringent terms and conditions, as the conclusion of trial will taken long time and his guilty shall be established during the trial, furthermore no useful purpose will be served by keeping him behind the bars any more. Therefore, in view of the abovesaid circumstances, this petition is accepted. Petitioner-Harsimranjit is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court / Duty Magistrate, Panchkula. The trial Court / Duty Magistrate, Panchkula is to ensure that the person standing surety for him should be possessed of sufficient means and preferably a resident of Panchkula. This is to ensure that the petitioner does

not abscond and if he does so, he can be apprehended at the earliest. Inspector Karambir Singh is present in the Court, he has been asked to ensure that witnesses be produced in the Court at the earliest so that trial can be concluded promptly.

This petition stands allowed.

**10.11.2017**

*Gaurav Sorot*

**( H.S. MADAAN )  
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**