

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 9675 of 2017

Date of Decision: 27.03.2017

Amandeep @ Ganja

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Dr. Deepak Jindal, Advocate,
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana

RAJ MOHAN SINGH, J.(Oral)

Prayer in this petition is for grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 548 dated 14.09.2015, under Sections 148, 149, 323, 324, 326, 506 and 307 I.P.C. registered at Police Station Assandh, District Karnal.

Initially, the FIR was registered without the offences under Sections 326/307 I.P.C. There was an enlargement of culpability as per the opinion of the Doctor and consequently, the offences under Sections 326/307 I.P.C. were added on 30.09.2015. The petitioner was granted regular bail by the trial

Court, the challan was presented and the recovery was effected and thereafter, the petitioner was bailed out by the Additional Sessions Judge on 31.03.2016.

On 31.08.2016, the petitioner did not appear before the trial Court and his bail was cancelled. The bail bonds/surety bonds of the petitioner were forfeited.

The petitioner surrendered before the trial Court on 20.12.2016 and since then he is in custody.

Learned counsel for the petitioner submitted that the petitioner is a Conductor on a private bus and he could not appear before the trial Court as he was held up in Gujarat. The petitioner has been appearing regularly before the trial Court, except for the aforesaid single default.

Learned State counsel on instructions from ASI Suresh Kumar submitted that the petitioner remained away from the jurisdiction of the Court for about four months and has delayed the prosecution of the case.

Having considered the submissions, I am of the view that non appearance of the petitioner on 31.08.2016 was a single default in the entire prosecution of the case so far and for that, one more opportunity needs to be granted to him.

Let the petitioner be enlarged on regular bail, subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 27, 2017.

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No