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

**CRM-M No.13261 of 2018
Date of Decision: 04.04.2018**

VIRENDER KUMAR PANDEY @ PAMMY
.....Petitioner

Vs
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gaurav Sethi, Advocate
for the petitioner.

Mr. M.D. Sharma, A.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.169 dated 07.07.2016, registered under Sections 25/54/59 of the Arms Act at Police Station Mahesh Nagar, District Ambala.

Learned counsel for the petitioner submitted that petitioner was granted regular bail by the trial Court vide order dated 22.07.2016, however on 23.01.2017 he did not appear before the trial Court and the bail was cancelled due to his non-appearance. Proceedings in terms of Section 82 Cr.P.C. were initiated. Proclamation was published on 20.11.2017 and the

petitioner was declared to be proclaimed offender on 15.01.2018.

Learned counsel further submitted that the separate FIR No.52 dated 22.02.2018 under Section 174-A IPC, Police Station Mahesh Nagar, Ambala was registered against the petitioner in which he was arrested on 22.02.2018. Petitioner was granted regular bail in the aforesaid FIR vide order dated 08.03.2018 passed by the Judicial Magistrate Ist Class, Ambala.

The aforesaid statement of facts has not been denied by learned State counsel on instructions from HC Vikram.

In view of aforesaid position, petitioner can join the trial arising out of FIR No.169 dated 07.07.2016, registered under Sections 25/54/59 of the Arms Act at Police Station Mahesh Nagar, District Ambala in which he was initially granted regular bail by the trial Court on 22.07.2016. It was only on account of non-appearance of the petitioner, he was declared as a proclaimed offender and in the separate FIR under Section 174-A IPC, he has been granted regular bail by the Judicial Magistrate Ist Class, Ambala.

In view of above, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 22.02.2018.

Consequently, the present petition is allowed. Petitioner

is ordered to be released on 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.

April 04, 2018
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No