

231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRM-M-16069-2018(O&M)

Date of decision: 25.04.2018

Rashid

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.C.Shahpuri, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') is for grant of regular bail to the petitioner in case FIR No. 47 dated 21.04.2016 under Sections 307, 34 IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station Shahzadpur, District Ambala.

Counsel for the petitioner submits that the petitioner was granted regular bail on 12.08.2016 and thereafter, he was regularly appearing before the trial Court. However, the petitioner could not appear before the trial Court on 01.12.2016 and his bail was cancelled and his bail / surety bonds were forfeited. Thereafter, the petitioner was re-arrested on 02.03.2017 and since then, he is in judicial lock up and is facing the trial.

Learned State counsel has not disputed the aforesaid fact and submits that the case before the trial Court is now fixed for recording the prosecution evidence.

Without commenting on the merits of the case and considering the fact that on an earlier occasion, the petitioner was granted regular bail

and thereafter he was re-arrested on 02.03.2017 and since then, he is in judicial lock up; conclusion of the trial will take long time, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/ two heavy sureties, out of which one surety should be a local surety, to the satisfaction of the trial Court/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing the concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

25.04.2018

Hemlata

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