

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

**CRM-M No.17630 of 2018
Decided on: 03.05.2018**

Balraj @ Sanjeev Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Arun Singla, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.11 dated 16.01.2010, for offence punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code (in short 'IPC'), registered at Police Station Pinjore, District Panchkula.

Counsel for the petitioner has submitted that the petitioner was granted regular bail and was facing the trial for the last 07 years and he absented on 24.05.2017 and thereafter, he was re-arrested on 23.02.2018 and since then, he is facing the trial. It is further submitted that the petitioner is not involved in any other case and is ready to face the proceedings, in accordance with law. It is also submitted that the petitioner has undergone about 2½ months of custody, after his surrender.

Counsel for the State, on instructions from HC Gurbachan Singh, has not disputed the factual position but opposed the prayer for

bail.

Without commenting anything on merits of the case and considering the fact that the petitioner was facing the trial for about 07 years while being on regular bail and also after his re-arrest, he is in custody since 23.02.2018 and also in view of the fact that he is not involved in any other case, this petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail bonds and two heavy sureties to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

03.05.2018
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(ARVIND SINGH SANGWAN)
JUDGE

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