

CRM-M-29532-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29532-2018
Date of Decision:20.07.2018

Mausin @ Ghosi

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Munfaid Khan, Advocate for the petitioner(s).
Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARI PAL VERMA, J (ORAL)

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in FIR No. 197 dated 09.10.2017 under Section 379-A, registered at Police Station City Sohna, District Gurugram.

Learned counsel for the petitioner states that it is on account of his absence before the trial court on 09.05.2018 his bail was cancelled. The petitioner could not appear before the trial Court on 09.05.2018 due to his illness and moved an application seeking personal exemption however, same was declined and non bailable warrants were issued against him for 05.06.2018. The petitioner surrendered before the trial Court on 04.06.2018, a day prior to the date fixed and he was sent to judicial custody. The petitioner is in custody since then.

Learned State counsel submits that mobile phone was recovered from the possession of the petitioner and since he absented in the trial, is not entitled for bail.

I have heard counsel for the parties.

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Considering the fact that the petitioner was earlier granted bail and it is only because of his absence from the trial Court, his bail was cancelled and he is in custody since 04.06.2018, trial in the case will take time and recovery of mobile has already been effected from him, I deem it appropriate to grant him bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as any expression on the merits of the case.

20.07.2018
mamta

(HARI PAL VERMA)
JUDGE

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