

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

**CRM-M-34382-2018
Date of Decision: 27.08.2018**

Mohit ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Munish Sharma, A.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C in case FIR No.212 dated 20.02.2014 registered under Sections 323/341/506/34 IPC at Police Station Sadar Hisar.

2. Learned counsel for the petitioner submitted that petitioner had the benefit of anticipatory bail at the time of registration of FIR. Due to non appearance on 3.4.2018, bail was cancelled. He had surrendered on 29.7.2018 and since then he is in custody. It was further submitted that for remaining absent for a day, cancelling bail would be unreasonable.

3. The above facts and circumstances have not been disputed by the learned State counsel.

4. Heard the learned counsel for the parties.

5. Having regard to the fact that petitioner had the benefit of anticipatory bail from 2014 and remaining absent on 3.4.2018, cancellation of bail may not be appropriate. That apart petitioner has surrendered on 19.07.2018. Petitioner is entitled to bail in view of these factual aspects and circumstances. Therefore, without commenting on the merit of the case,

petitioner-Mohit is ordered to be released on bail to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

6. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

7. Petition is allowed accordingly.

27.08.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**