

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

**Criminal Misc. No. M-41151 of 2018
Date of decision: 05.12.2018**

Karambir @ Karma

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Karambir @ Karma under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.371 dated 17.05.2012 registered under Sections 452, 506 read with Section 34 IPC and Section 25 of the Arms Act at Police Station City Karnal, District Karnal during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner was released on regular bail and was appearing before the trial Court regularly till 28.09.2015. Subsequently, bail bonds furnished by the petitioner were cancelled and forfeited to State as he was declared proclaimed offender vide order dated 08.09.2016. Learned counsel further submits that the petitioner was arrested on 11.08.2018 and since then, he is in custody. Learned counsel also submits that co-accused of the petitioner, namely, Gurlal and Roshan have been acquitted of the charges by the trial Court vide order dated 08.02.2017. The petitioner undertakes to appear

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before the trial Court on each and every date and to abide by all terms and conditions to be imposed by this Court or by the trial Court.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner remained proclaimed offender for a period of about two years and another FIR has also been registered after declaring him proclaimed offender. In that case, challan has also been presented.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody since 11.08.2018; his co-accused, namely, Gurlal and Roshan have been acquitted of the charges by the trial Court; the petitioner has given an undertaking to appear before the trial Court on each and every date and to abide by all terms and conditions to be imposed by this Court or by the trial Court, the present petition is allowed and the petitioner (Karambir @ Karma) is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court subject to deposit of an amount of ₹5000/- before the trial Court and with the undertaking that he will appear before the trial Court on each and every date of hearing.

05.12.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No