

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

**CRM-M No. 48897 of 2018
Date of Decision:-30.11.2018**

Virender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Parveen K. Aggarwal, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail pending trial to the petitioner in case FIR No.680 dated 17.8.2016, under Sections 379-B and 201 read with Section 34 IPC, registered at Police Station Ballabgarh City, District Faridabad, Haryana.

Learned counsel for the petitioner submitted that the petitioner was allowed regular bail and subsequently he kept on appearing before the Court below. However, on 10.09.2018, petitioner Virender did not appear before the Court and on account of his absence his bail was cancelled and the matter was adjourned to 11.10.2018. On the said date, the accused had surrendered and was taken into custody. Learned counsel for the petitioner

has further contended that his absence was for the reason that he had noted the wrong date and, therefore, could not appear on that date i.e. 10.09.2018. He further contends that previously the concession of bail was extended, which was never misused.

On the other hand, learned State counsel has opposed the bail application on the ground that order passed by the Court below rejecting the bail of the petitioner is well reasoned.

I have heard learned counsel for the parties.

Considering the fact that petitioner was already on bail and has never misused the concession of bail and on a given date an accused can be prevented by sufficient reasons to put in appearance as in this case i.e. because of noting a wrong date.

Without commenting anything upon merits of the case, the petitioner is admitted to regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the concerned trial Court.

The petition is allowed.

November 30, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No