

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

205

**CRM-M No.50594 of 2018.
Date of Decision: 22.11.2018.**

Vikash alias Bhura

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Kamal Chaudhary, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
assisted with ASI Sunil Kumar.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed by the petitioner for grant of regular bail pending trial in case F.I.R. No.385 dated 17.12.2009 under Sections 148, 149, 326, 395 of the Indian Penal Code and Section 25 of the Arms Act, registered at Police Station Kotwali, District Faridabad.

Learned counsel representing the petitioner contended that initially the case was registered against six accused, five of them were tried and three co-accused were convicted whereas two of them were acquitted by learned trial Magistrate, after trial. The petitioner was earlier declared as proclaimed offender on 02.07.2015 and thereafter, he surrendered before the Court on 20.09.2018 and now the trial is going on. The petitioner is ready to furnish the bonds for his regular appearance in the trial Court.

Learned State counsel, while opposing the prayer for grant of bail to the petitioner, contended that previous conduct of the petitioner does not make out a case for his release on bail as he was declared as proclaimed offender on 02.07.2015 as he misused the provision of law for a pretty long time, so the petition be dismissed.

Having considered the fact that the petitioner is in custody since 20.09.2018 and trial of the case still to take some more time and no useful purpose would be served by keeping the petitioner behind the bar any more, the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bond with two local surety to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

Petition stands allowed.

(SHEKHER DHAWAN)
JUDGE

22.11.2018
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No