

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

CRM-M-49756-2017 (O&M)

Date of decision: 15.02.2018

Sunil @ Munna

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Vikas pal Singh, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Present is the second petition preferred by the petitioner under Section 439 Cr.P.C. seeking benefit of regular bail pending trial in case FIR No.641, dated 25.11.2004, under Sections 364/302/201/202/34 IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Sadar Dadri.

Counsel for the parties have been heard.

Shorn of unnecessary details, it has gone uncontroverted that petitioner was granted benefit of bail by the competent Court on 06.04.2016.

On 21.08.2017, petitioner absented from trial proceedings and which led to the cancellation of bail already granted.

During the course of hearing today, it has not been disputed that the petitioner is implicated in FIR No.185, dated 01.07.2017 and was confined to District Jail, Bhiwani on 04.07.2017. Afore-noticed fact explains non-appearance of the petitioner on 21.08.2017.

Counsel for the petitioner has during the course of hearing adverted to order dated 09.02.2018 passed by a Coordinate Bench of this Court in CRM-M-41744-2017, whereby benefit of bail has been granted to

the petitioner in FIR No.185 dated 01.07.2017.

Learned State counsel would oppose the prayer in the instant petitioner by contending that the petitioner has been found to be involved in yet another FIR i.e. FIR No.329, under Sections 294/506 IPC, registered at Police Station City Bhiwani. Even in this regard, it stands conceded that the petitioner has been granted benefit of bail vide order dated 12.09.2017 passed by learned Sessions Judge, Bhiwani.

In view of the peculiar facts and circumstances noticed above and without making any observations on merit, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of the Trial Court /Duty Magistrate concerned.

Disposed of.

15.02.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |