

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
2018.02.12 18:06
I attest to the accuracy and
integrity of this document

CRM-M-5096-2018(O&M)
Date of decision:12.02.2018

Ashish @ Bandhoria

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S.Dinarpur, Advocate, for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.285, dated 29.12.2015, under Section 379-B IPC, registered at Police Station Mullana, District Ambala.

Learned counsel for the petitioner submits that the petitioner-Ashish @ Bandhoria was granted concession of regular bail by the Additional Sessions Judge, Ambala, vide order dated 19.07.2016. However, the petitioner, on account of having his ill health due to *jaundice*, could not appear before the trial Court on 29.07.2016 and his bail bonds were forfeited. It is further submitted that he was arrested in another case and on production warrants, he was produced before the trial Court on 11.09.2017 in this case and he has undergone 05 months custody period as on 11.02.2018.

Learned State counsel, on instructions from ASI Chatter Pal, has however, opposed the prayer for bail on the ground that on 18.11.2016, the petitioner was declared proclaimed offender and he is involved in other cases.

In reply, learned counsel for the petitioner submits that the

petitioner has been acquitted in the case in which, he was arrested vide order dated 17.10.2017, passed by the Sessions Judge, Kurukshetra.

Without commenting on the merits of the case, considering the fact that the petitioner was granted regular bail vide order dated 19.07.2016; after his re-arrest, he has undergone 05 months of actual sentence and he has been acquitted in the another case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds with two sureties, out of which one to be local surety, to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

(ARVIND SINGH SANGWAN)
JUDGE

12.02.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No