

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

228

**CRM-M No.12889 of 2019.
Date of Decision: 01.05.2019.**

Sandeep

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Deepak Vashishth, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code (for short, 'Cr.P.C.') has been filed by the petitioner for grant of regular bail pending trial in case F.I.R. No.40 dated 27.03.2016 under Sections 307, 325, 216 read with Section 34 of the Indian Penal Code and Section 25/54/59 of the Arms Act, 1959, registered at Police Station Pillu Khara, District Jind.

Learned counsel representing the petitioner contended that earlier the petitioner was admitted to bail in this case but his bail was cancelled as he failed to put in appearance before the trial Court on 20.09.2018 and thereafter, he surrendered before the Court on 14.12.2018. Learned counsel further contended that circumstances were beyond the control of the petitioner which resulted into his absence on 20.09.2018 and

Learned State counsel opposed the prayer for bail on the ground that it was consistent default in appearance on part of the petitioner which resulted into delay of proceedings and trial, so the petitioner does not deserve the concession of bail.

Having considered the submissions made by learned counsel for both the parties and appraisal of record, this is Court is of the considered opinion that since the petitioner was earlier admitted to bail and his bail was cancelled on account of his non appearance, the present petition is allowed. Petitioner—Sandeep is ordered to be admitted to bail, on his furnishing fresh bail bond and surety bond to the satisfaction of learned trial Judge. However, learned trial Judge shall be at liberty to complete proceedings under Section 446 Cr.P.C.

(SHEKHER DHAWAN)
JUDGE

01.05.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No