

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

CRM-M-26266-2019 (O&M)
Date of decision : 01.07.2019

Meer Hassan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Naveen Panwar, Advocate,
for Mr. R.K. Bagga, Advocate,
for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana,
assisted by ASI Jagdish Chand.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.936 dated 29.11.2015, registered under Sections 307, 332 and 353 read with Section 34 of the Indian Penal Code; Section 11 of the Prevention of Cruelty to Animals Act, 1960; Section 25 of the Arms Act, 1959; and Section 13(2) of the The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, at P.S. City Thanesar, District Kurukshetra.

It is contended that the instant FIR was registered against unknown persons. The petitioner was implicated in the instant case after a gap of more than 04 months and he was arrested after taking production warrant from District Yamunanagar. Thereafter, he was granted the concession of bail by this Court on 21.07.2016 vide CRM-M-23791-2016 and since then, he had been regularly appearing before the trial Court.

However, on 31.08.2018, the applicant could not appear before the trial

Court as he was arrested in another case and confined in District Jail, Saharanpur. Meanwhile, learned trial Court at Kurukshetra declared the petitioner as Proclaimed Offender vide order dated 15.10.2018 and he was produced before learned trial Court on 13.12.2018 through production warrant.

It is contended that the absence of the petitioner on 31.08.2018 is unintentional and on account of the circumstances beyond his control. The petitioner was not arrested from the spot. He is in custody since 13.12.2018.

Learned State counsel, on instructions, submits that the petitioner is a habitual offender and involved in as many as nine cases. He has misused the concession of bail earlier granted to him. Therefore, there is strong apprehension that once released on bail, there is every possibility that the petitioner may abscond from the course of law.

Heard.

This is the second bail petition moved by the petitioner. He was earlier granted bail by this Court pending trial, however, on 31.08.2018, he could not appear before the trial Court on account of his arrest in another case at Saharanpur, Uttar Pradesh. He is not named in the FIR. No police official sustained any injury in the instant case. Therefore, this Court feels that the prayer of the petitioner deserves to be accepted.

In view of the above, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bond in the sum of Rupees one lakh with two local sureties in the like amount each, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate,

concerned. He shall also furnish indemnity bonds with two local sureties of Rupees one lakh each.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

01.07.2019
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No