

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

**CRM-M-34466-2019
Date of decision: 29.08.2019**

Rajat Tomar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Mayur Karkra, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 528 dated 21.07.2016, registered under Sections 395, 397, 476 of the IPC and Section 25 of the Arms Act, 1959 at Police Station DLF, Gurugram.

Learned counsel for the petitioner submits that the petitioner was granted concession of regular bail on 17.01.2017 and he was regularly appearing before the trial Court, however, on 16.07.2019, he could not appear before the trial Court due to some unavoidable circumstances. Consequently, the bail/surety bonds of the petitioner were cancelled and non-bailable warrants were issued against him.

Learned counsel for the petitioner further submits that thereafter, the petitioner surrendered before the trial Court on 01.08.2019 and applied for grant of regular bail, however, the same was dismissed on 06.08.2019.

Learned counsel for the petitioner further submits that except the aforesaid date, the petitioner has never absented before the trial Court.

Learned State counsel has filed custody certificate in Court today and has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody since 01.08.2019.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner was earlier on regular bail for a long time and he has never misused the same; he is in judicial custody since 01.08.2019 and also in view of the fact that the conclusion of the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

29.08.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*