

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

CRM-M-45151-2019

Date of Decision : October 30, 2019

Malkiat Singh		Petitioner
	Versus	
State of Haryana		Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in Appeal No.CRA-549-2017 pending before the learned trial Court arising out of judgment of conviction dated 20.8.2016 in FIR No.129 dated 5.2.2015 under Section 174-A IPC, registered at Police Station City Karnal.

Counsel for the petitioner submits that after filing of the appeal, the sentence of the applicant/appellant was suspended, however, he absented on 15.12.2018 and his bail/surety bonds were cancelled. Counsel for the petitioner further submits that the petitioner was in custody in some other case and thereafter, when the appellate Court issued production warrants, the applicant was produced before the Court on 19.7.2018 and, therefore, there is no intention on his part to appear before the Court. He further submits that the FIR under Section 174-A was registered during the pendency of another FIR No.126 dated 7.2.2010 under Section 374 IPC,

Police Station City, Karnal in which the petitioner already stands acquitted vide order dated 3.6.2015.

Counsel for the petitioner further submits that now the petitioner is in custody in the present case for the last more than 05 months

Learned State counsel, on instructions from ASI Sursh Kumar has not disputed the factual position.

In view of the same, this petition is allowed and the petitioner is directed to be released on bail by the learned lower appellate Court on his furnishing bail/surety bonds to its satisfaction.

**(ARVIND SINGH SANGWAN)
JUDGE**

October 30, 2019
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Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO