

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

109+242

**CRM No.5456 of 2019 in/and
CRM-M No.64507 of 2018 (O&M)
Date of Decision: 20.02.2019.**

Pardeep

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Jitender K. Sehrawat, Advocate for the petitioner.

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

CRM-5456-2019

Correct translated copy of order dated 30.11.2018 (Annexure-P4) is taken on record, subject to all just exceptions.

CRM stands disposed of.

CRM-M No.64507 of 2018 (O&M)

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.09 dated 29.01.2015 under Sections 302, 148, 149 of the Indian Penal Code and Section 25/54/59 of the Arms Act, 1959, registered at Police Station Julana, District Jind.

Learned counsel representing the petitioner contended that earlier the petitioner was admitted to bail in this case but his bail was cancelled because of his non appearance before the trial Court on single date i.e. 11.04.2018. Thereafter, he surrendered before the Court on 20.08.2018, but was not declared proclaimed offender and immediately appeared before the Court.

Learned State counsel has affirmed the fact that earlier the petitioner was admitted to bail in this case and his bail was cancelled because of his default on 11.04.2018.

In view of the above, the present petition is disposed of with the direction that in case the petitioner moves an application for bail before learned trial Judge, the same shall be decided by learned trial Judge and the petitioner shall 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

20.02.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No