

CRM-M-13522 of 2020

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

CRM-M-13522 of 2020

Date of Decision: 12.06.2020

Mukesh Jangid

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Wazir Singh, Advocate,
for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.628, dated 15.11.2016, having been registered against him, alleging therein the commission of offences punishable under Sections 279 and 304-A of the IPC (with Section 304 (ii) of the IPC added later on).

Learned counsel for the petitioner submits that though the petitioner was declared to be a proclaimed person after he was admitted to bail in the year 2016, he could not attend court due to the illness and death of his grandmother, though he does not have any medical certificate to prove that.

He however further submits that the petitioner himself surrendered

before the court thereafter and has now been in custody since December 16, 2019, with the next date of hearing before the trial court being July 2, 2020.

He next submits that even the complainant in his testimony has not identified the petitioner.

Mr. Chahar, learned DAG, Haryana, on the other hand, submits that the petitioner already having absconded once, cannot be granted the concession of bail, upon him having been declared to be a proclaimed person.

However, he does not deny the fact that the petitioner himself surrendered before the trial court.

Keeping in view the fact that the petitioner himself surrendered before the trial court, as also the nature of the offences alleged to have been committed, without making any comment whatsoever on the merits of the case, this petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/Chief Judicial Magistrate/Duty Magistrate concerned.

June 12, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.