

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

**Criminal Misc. No. M-28202 of 2020
Date of decision: 28.09.2020**

(Heard through Video Conferencing)

Kuldeep

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Tajender K. Joshi, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. AG, Haryana
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.94 dated 26.03.2015 registered under Sections 148, 302, 341, 216, 149 IPC and Section 25 of the Arms Act at Police Station Narnaul, District Mahendergarh during pendency of the trial.

Learned counsel for the petitioner submits that earlier the petitioner was granted regular bail vide order dated 16.01.2019 but he could not appear before the trial Court on 16.07.2019 due to his ailment and thereafter, he himself surrendered before the trial Court on 31.08.2019 by moving an application. Learned counsel further submits that the petitioner is in custody since 31.08.2019. The petitioner undertakes to appear before the trial Court on each and every date and to abide by all terms and conditions

to be imposed by this Court or by the trial Court.

Learned State counsel submits that now the case is fixed for recording of statements of DWs before the trial Court but he has not disputed the earlier order for grant of regular bail and surrendering the petitioner himself by moving application.

Heard arguments of learned counsel for the parties and have also perused the documents available on the file.

Admittedly, earlier the petitioner was granted regular bail by this Court vide order dated 16.01.2019 but on one date i.e. 16.07.2019, he could not appear and thereafter, he himself surrendered before the trial Court on 31.08.2019 and since then, he is in custody.

No doubt the case is fixed for recording of statements of DWs but by considering the present circumstances, still it can take time in recording statements of defence witnesses.

Accordingly, the present petition is allowed and the petitioner, namely, Kuldeep, is directed to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court or duty Magistrate or Chief Judicial Magistrate, Mahendergarh.

28.09.2020
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No