

CRM-M-24133-2020

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

**CRM-M-24133-2020 (O & M)
Date of decision:26.02.2021**

Dilshad

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vinod Bhardwaj, Advocate,
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.153 dated 31.07.2001 registered under Sections 399 and 402 of Indian Penal Code, 1860, Police Station Sadar, Kaithal, District Kaithal.

At the outset, learned counsel for the petitioner very fairly submits that the petitioner was declared a proclaimed offender on 03.11.2001.

Learned counsel for the petitioner submits that the petitioner, aged about 65-year, is residing at the address mentioned in the petition and no initiative had been taken by the prosecution agency to call him neither any notice was served upon him at any stage. For the said reason, he could not appear before the concerned court. Otherwise, he had no intention to

CRM-M-24133-2020

evade the process of law. Moreover, he was not arrested at the spot and his name had been disclosed by the co-accused. He has been in custody since 26.05.2020. It is also stated that co-accused, who though had been convicted by the trial Court, have since been acquitted of the charges by the Appellate Court.

On the other hand, learned State counsel submits that the petitioner had fled away from the place of occurrence and could be apprehended even after the efflux of 19 years.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 26.05.2020. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.02.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No