

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

**CRM-M-34294-2021
Date of decision: 23.08.2021**

Rohit @ Lotan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sanpreet Sandhu, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 145 dated 04.06.2018, registered under Sections 323, 324, 506, 34 of the IPC at Police Station Chhappar, District Yamuna Nagar.

Learned counsel for the petitioner submits that the FIR was registered with the allegations that complainant Rameshwar was working on a liquor vend and was collecting the cash and when he was going with the cash on a motorcycle, he was intercepted by one Monu and two other persons, who gave him beating and ran away.

Learned counsel further submits that the petitioner was granted concession of regular bail, however, he absented from Court proceedings on 18.09.2018 and his bail/surety bonds were cancelled. Thereafter, warrants of arrest was issued against the petitioner and he surrendered before the Court on 01.04.2019 and he was again granted regular bail. Thereafter, at the stage when the case was fixed for prosecution evidence, on 15.02.2020, the petitioner again absented from the Court proceedings, consequent to which,

his bail/surety bonds have been cancelled.

Learned counsel for the petitioner further submits that petitioner has travelled to Mauritius and was stuck there due to COVID-19 situation, however, nothing is on record to show that he has travelled abroad after necessary permission from the Court.

Learned State counsel has opposed the prayer of the petitioner on the ground that petitioner is habitual in absenting from the Court proceedings and he intentionally did not appear before the Court knowing that the case is fixed for prosecution evidence.

After hearing learned counsel for the parties, considering the fact that petitioner was earlier granted concession of bail on two occasions and he is ready to surrender before the trial Court and apply for grant of fresh bail, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to conditions envisaged under Section 438 (2) Cr.P.C.

The petitioner is directed to appear before the trial Court within a period of seven days from today and on doing so, he will be released on bail by the trial Court, subject to his furnishing fresh bail/surety bonds to its satisfaction, however, this will be subject to payment of costs of Rs. 10,000/-, to be deposited with District Legal Services Authority, concerned for causing delay in trial.

23.08.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*