

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-46355 of 2021
Date of Decision : 15.11.2021

Ravinder @ Ravi

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Brijender Kaushik, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

Custody certificate filed by the learned State counsel in the Court today is taken on record.

The present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.159 dated 30.06.2018 registered under Sections 307, 323, 427 and 506 of the IPC and Sections 25, 54 and 59 of the Arms Act at Police Station Ateli, District Narnaul.

Learned counsel for the petitioner argues that the petitioner was extended the benefit of regular bail by the trial Court on 10.09.2018, after which, the petitioner regularly attended the proceedings of the case but, keeping in view the fact that the petitioner was not well, he could not attend the proceedings of the case on 02.03.2021 though, an application seeking

exemption was submitted by him but, the same was rejected by the trial

Court on the ground that the medical certificate was not appended alongwith the application. Learned counsel for the petitioner submits that the said non-appearance was beyond the control of the petitioner otherwise, all the terms and conditions of the bail was being complied with meticulously by the petitioner. Learned counsel for the petitioner further submits that the bonafide of the petitioner is clear from the fact that the petitioner himself surrendered before the authorities on 05.10.2021 and as the petitioner is behind the bars for more than one month, he may kindly be extended the benefit of regular bail.

Learned State counsel on the other hand submits that the non-appearance of the petitioner on 02.03.2021 was without any valid justification as even with the present petition, nothing has been appended by the petitioner showing that he was not well on the said date.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the petitioner himself surrendered before the authorities to show his bonafide and the petitioner did not appear before the Court merely on one date i.e. 02.03.2021, though, an application seeking exemption was filed and the petitioner has suffered sufficient incarceration as of now for the said act, thus, the petitioner has made out a case for the grant of concession of regular bail.

In view of the above, without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall

not be construed to be an expression of any opinion on the merits of the case.

November 15, 2021

(HARSIMRAN SINGH SETHI)

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JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No