

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8208-2022 (O&M)
Date of decision: 22.03.2022

Anil @ Aman @ Chhotu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.32 dated 18.09.2019 under Section 379-B, 395, 397, 412, 120-B IPC, registered at Police Station HSIDC Barhi, District Sonipat.

Learned counsel for the petitioner submits that the petitioner was granted regular bail vide order dated 17.12.2020, however, he could not appear before the trial Court on 03.09.2021. A perusal of the order passed by the trial Court shows that on that day, three witnesses namely Kewa Ram, Bijender and Satish were present, but due to absence of the petitioner, they could not be examined and the trial Court observed that since the petitioner intentionally has not appeared, therefore, he is not entitled to bail. It is further submitted that now

all three witnesses have been examined as PW3, PW4 and PW2 and the petitioner is again in custody since 26.10.2021.

Learned State counsel has filed the custody certificate dated 21.03.2022 in the Court today and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

22.03.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No