

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

221

CRM-M-10456-2022

Date of Decision : **March 16, 2022**

PARVEEN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.72 dated 5.3.2013 under Sections 148, 149, 307, 323, 341, 506 IPC and 25 of the Arms Act, registered at Police Station Camp Palwal, District Palwal.

It has been submitted by the learned counsel for the petitioner that in the present case the petitioner was granted bail vide Annexure P-2 by this Court on 4.2.2014 and thereafter the petitioner did not appear before the learned trial Court and was declared as a proclaimed offender. It was only now in January 2022 that he surrendered before the Court and he is now in custody for the last about 3 months and so far as the other co-accused are concerned, they have been acquitted vide Annexure P-3. He submitted that once the other co-accused have been acquitted, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel has stated that the petitioner has jumped the bail and was declared as a proclaimed offender and now after a period of about 7 years, he has surrendered and there is every likelihood that in case he is released on bail then he may abscond from justice.

I have heard the learned counsels for the parties.

During arguments, learned counsel for the petitioner has prayed for the withdrawal of the present petition. However, the request of learned counsel for the petitioner is, hereby, rejected.

The petitioner has been absconding for more than 7 years and was declared as a proclaimed offender. He was granted bail by this court on 4.2.2014 and as per learned counsel for the parties, the petitioner was absconding from the year 2015 which is almost 7 years and was declared as a proclaimed offender and now he has surrendered before the learned trial Court. The plea taken by the learned counsel for the petitioner that the other co-accused have been acquitted does not carry any weight. Now the petitioner is facing trial and the apprehension expressed by the learned State counsel that in view of the conduct of the petitioner and in case he is released on bail then he may abscond again would carry weight and cannot be ignored.

Therefore, finding no merit in the present petition, the same is, hereby, dismissed.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

March 16, 2022

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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No