

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

210

CRM-M-12789-2022 (O&M)

Date of Decision: 01.06.2022

SATBIR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.604 dated 17.10.2016, registered at Police Station Sohna, District Gurugram, under Sections 279, 304, 201 and 34 IPC.

Learned counsel for the petitioner submits that the petitioner was initially granted the concession of bail by the learned trial Court on 07.05.2018; that due to some unavoidable circumstances, the petitioner absented himself from the Court proceedings on 18.01.2021 and that, at one stage, the petitioner was home quarantined, then he lost his father and thereafter, he met with an accident and accordingly, his bail was cancelled, bail/surety bonds were forfeited to the State and non-bailable warrants against the accused-petitioner and notice to his surety under Section 446 Cr.P.C. were issued for 31.03.2021. It is, thus, contended that non-appearance of the petitioner was neither intentional

nor wilful, but for the reasons explained above. He further submits that the petitioner himself surrendered before the learned trial Court on 03.03.2022 and since then he has been in custody.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the factual position of the matter. He, however, submits that the petitioner has not given any authentic reasons for his non-appearance before the trial Court from 18.01.2021 till 03.03.2022. He further submits that there are total 22 prosecution witnesses, out of whom ten have already been examined.

I have heard the learned counsel for the parties.

Initially, the petitioner was granted the concession of bail by the trial Court. Though, the petitioner had absented himself from the Court proceedings on 18.01.2021, yet the fact remains that he himself surrendered before the trial Court on 03.03.2022 and since then he has been in custody. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

01.06.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*