

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

CRM-M-19863-2022

Date of Decision:-**09.08.2022**

SHER MOHD

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.176 dated 26.9.2017 registered under Sections 120-B, 153-A, 295-A, 307 IPC; Section 13(2) HGS&GS Act; Section 25 of Arms and Section 11 Prevention of Cruelty to Animal Act, 1960 at Police Station City Sohana District Gurugram.

The counsel for the petitioner submits that earlier the petitioner was arrested and thereafter granted regular bail vide order dated 1.5.2019 (Annexure P-2) by the Court concerned. That thereafter the petitioner was regularly appearing before the trial Court. That however on 29.9.2021, the

petitioner failed to appear in the trial Court and consequently his bail order was cancelled and he was ordered to be summoned through non-bailable warrant of arrest as is evident from Annexure P-3. The counsel for the petitioner further submits that thereafter the petitioner was re-arrested on 24.11.2021 and since then he is languishing in the jail and the trial is not proceeding further.

The State counsel on instructions from ASI Ved Prakash has not disputed the fact that the petitioner jumped bail on 29.9.2021 and later on re-arrested on 24.11.2021 and since then he is behind the bars. The State counsel further submits that till date no prosecution witness has been examined.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

In view of the above as it will take considerable time for the trial to conclude, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

09.08.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No