

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.206

Case No. : CRM-M-45025-2022

Date of Decision : November 29, 2022

Pawan Petitioner
vs.
State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Ankit Chahal, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

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GURBIR SINGH, J. :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.04 dated 05.01.2020, under Sections 148, 149 and 307 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Hodal, District Palwal.

It has been contended by learned counsel for the petitioner that the petitioner was granted regular bail by the Court of learned Additional Sessions Judge, Palwal, vide order dated 02.07.2020 but he absented himself on 22.11.2021 and therefore, his bail was cancelled and warrant of arrest were issued against the petitioner.

It has further been contended that on 31.05.2022, a report was received by the learned Trial Court that the petitioner was confined in District Jail, Neemka in some other case. He was got produced through production warrant and was taken in custody in the present case on 24.08.2022. Since then, the petitioner is behind bars.

Learned State counsel has opposed the prayer of the petitioner for grant of bail by submitting that there are seven other cases pending against the petitioner and he is not entitled to grant of regular bail since he was earlier granted bail by the Court below but he absented himself and warrant of arrest was issued against him.

It has further been submitted by learned counsel for the petitioner that nothing incriminating has been recovered from the petitioner during investigation and alleged recovery of a *danda* has been attributed to him.

Heard learned counsel for the parties.

In view of the aforesaid facts and circumstances of the case, keeping in view the fact that the petitioner is behind bars since 24.08.2022 and completion of trial will take long time, no useful purpose would be served by keeping him behind the bars.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Illaq Magistrate/Duty Magistrate, Palwal.

November 29, 2022

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**(GURBIR SINGH)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>