

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

CRM-M-52292-2022 (O&M)

Date of decision: 18.11.2022

Tanuj @ Nanha

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Geeta Rani, Advocate for
Mr. K. D. S. Hooda, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This 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. 164 dated 11.03.2020, for offence punishable under Sections 307, 323, 120-B, 216, 34 of the IPC and Sections 25, 29 of the Arms Act, 1959 registered at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner, at the very outset, submits that the petitioner was initially granted the concession of regular bail and was regularly appearing before the trial Court, however, he was involved in another FIR No. 411 dated 29.06.2021, registered under Sections 307, 147, 148, 323 of the IPC and Section 25 of the Arms Act and in that case, he was pursuing his remedy of getting anticipatory bail upto this Court and on account of the said fact, the petitioner could not appear before the trial Court and his bail/surety bonds were cancelled. It is further submitted that the petitioner has surrendered back in this case and has applied for grant of

fresh bail, however, the same was dismissed.

Learned counsel for the petitioner further submits that since the non-appearance of the petitioner before the trial Court was due to registration another FIR, the petitioner may be granted concession of regular bail as earlier he was regularly appearing before the trial Court.

Learned State counsel has filed the custody certificate and has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody for the last 06 months and 06 days, out of which, after surrendering back he is in custody since 28.07.2022.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

18.11.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No