

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

205

CRM-M-59366-2022

Date of Decision: 23.12.2022

Parveen Desai alias Amru

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Saurav Bajaj, Advocate with
Ms. Ashwarya Bajaj, Advocate, for the petitioner
Ms. Dimple Jain, AAG, Haryana

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 439 Cr.P.C. is seeking grant of concession of regular bail in FIR No.120 dated 18.04.2018 (Annexure P-1) under Sections 148, 149, 307, 323, 452, 427, 379-B, 302 IPC and Sections 25/54 of Arms Act, 1959, registered at Police Station City, Rewari.

Learned counsel for the petitioner, *inter alia*, contends that petitioner was arrested in afore-stated FIR and thereafter, released on regular bail vide order dated 21.08.2019 (Annexure P-2) passed by Additional Sessions Judge, Rewari. The petitioner remained in custody from 14.02.2019 to 21.08.2019. The petitioner on account of unavoidable circumstances failed to appear on one particular date which entailed cancellation of bail bonds and issue of Non-Bailable Warrants. The petitioner was arrested in another case and thereafter released on bail. The petitioner surrendered in the present FIR and since 12.10.2022, he is in custody. The petitioner is in custody on account of non-compliance of conditions of bail otherwise, principally he had already been released on bail.

Learned State counsel submits that there is every likelihood that petitioner may flee from justice and does not face trial. The conduct of petitioner speaks itself.

The petitioner was initially released on regular bail vide order dated 21.08.2019 and thereafter, is facing incarceration on account of non-compliance of conditions of bail. He had missed one date fixed before Trial Court which brought him to custody. The petitioner is in custody since 12.10.2022.

In view of above facts, this Court is of the considered opinion that present petition deserves to be allowed and is accordingly allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

(JAGMOHAN BANSAL)
JUDGE

23.12.2022
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No