

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

CRM-M-10976-2023
Date of Decision: March 10, 2023

SHAHID Petitioner

Versus

STATE OF HARYANA Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manoj Tanwar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, A.A.G., Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail pending trial in case FIR No.494, dated 27.07.2016 under Section 379-A, IPC registered at P.S. Sadar Palwal, District Palwal, Haryana.

Learned counsel for the petitioner submits that having been granted concession of regular bail by this Court vide order dated 17.10.2016 in the afore-mentioned FIR, the petitioner absented himself on 17.02.2017 resulting into he being declared as proclaimed person vide order dated 06.06.2017.

Learned counsel further submits that upon rejection of his prayer for anticipatory bail by this Court vide order dated 20.05.2022 passed in CRM-M-21924-2022, the petitioner surrendered before the Police on 06.02.2023 and was thus taken into custody and is behind the bars since then. He further submits that the investigation against the petitioner already stands concluded besides even the acquittal of his

other co-accused by the Court of then Sessions Judge, Palwal vide order dated 09.01.2018.

On the other hand, learned State counsel on instructions from ASI Amit Kumar, P.S. Sadar Palwal, opposes the prayer made herein while submitting that the petitioner escaped the process of law for a long period of almost more than 6 years and thus has to be dealt with an iron hand.

I have heard learned counsel for the parties and have gone through the paper-book. I find substance in the submissions made on behalf of the petitioner.

The investigation against the petitioner already stands concluded besides there being a judgment of acquittal passed in favour of other co-accused vide judgment dated 09.01.2018. In the facts of the present case, wherein, the evidence of the petitioner was same as that of the other co-accused who have already been acquitted and also in view of the fact that the petitioner is already behind the bars for a period of more than one month now, the trial against him is likely to take some time.

Without commenting upon merits of present petition, the same is allowed subject to furnishing of adequate bail bonds/surety bonds by the petitioner to the satisfaction of the trial Court/Ilqa Magistrate/Duty Magistrate.

10.03.2023
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(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

