

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

CRM-M-14781-2023
Date of Decision:-**12.05.2023**

RAJAT

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Ms. Savita Rana, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

1. Prayer is for grant of regular bail in case having FIR No.87 dated 19.3.2022 registered under Sections 323, 341, 365, 379-A, 34 (later on Section 379-A IPC was converted into Section 379-B IPC), at Police Station Nigdhu Karnal, District Karnal.
2. The counsel for the petitioner *inter alia* contends that earlier the petitioner was granted regular by the trial Court vide order dated 27.7.2022 (Annexure P-1), however due to some unavoidable circumstances, the petitioner failed to appear before the trial Court on the date fixed i.e. 17.2.2023 and consequently his bail was cancelled

and he was ordered to be summoned through non-bailable warrants of arrest. However, in the meantime, the petitioner surrendered before the trial Court on 27.2.2023 and since then, he is in judicial custody and counsel for the petitioner submits that this was single default on the part of petitioner and further application moved for grant of personal exemption to the petitioner was also filed by his counsel on 17.2.2023 on the medical grounds but the same was not considered by the trial Court and the copy of the said application is Annexure P-3. The counsel for the petitioner further submits that in future the petitioner will not commit any such default and prayed for grant of regular bail to the petitioner.

3. The instant petition is resisted by the State counsel, who on instructions from ASI Nirmal Singh submits that the petitioner jumped bail and consequently his bail order was cancelled by trial Court vide order dated 17.2.2023. However, the State counsel has not disputed the fact that subsequently the petitioner surrendered on 27.2.2023 and is presently lodged in judicial custody
4. I have considered the submissions made by counsel for the parties.
5. In the given circumstances as the petitioner was granted regular bail vide Annexure P-1 and later on he jumped bail on 17.2.2023 and within next 10 days surrendered and since then is in custody, no purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.

6. 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.

12.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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