

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

212

2023:PHHC:111181

CRM-M-36727-2023

Date of decision: 24.08.2023

INDER JEET SINGH @ GORA

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sudhir Rana, Advocate
for the petitioner.

Mr. J.S. Pannu, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

1. On 24.05.2019, the petitioner was granted bail during the pendency of trial arising from FIR No.19, dated 17.01.2019, registered under Section 148, 149, 302, 392, 420, 216, 120-B of the Indian Penal Code, 1860 and 25, 54 of the Arms Act, 1959, at Police Station Taraori, Karnal.

2. On 14.07.2023, the petitioner failed to appear before the Court resulting in the cancellation of bail bonds. He surrendered before the Court on 20.07.2023. While considering the subsequent application filed by the petitioner for grant of bail, the Court has observed that on each and every date of hearing, one or the other accused remains absent resulting in adjournments, which is adversely affecting the progress of the trial.

3. The learned counsel representing the petitioner submits that he is prepared to file an undertaking before the trial Court to the effect that he has no objection if the evidence is recorded in the presence of his learned counsel even if he is not present at the time of hearing

4. As per the custody certificate, the petitioner is also accused in FIR No.536 dated 14.12.2012, registered under Section 148, 149, 323, 324,

325, 427, 341, 506, of the Indian Penal Code, 1860, at Police Station Indri, District Karnal.

5. The petitioner has already suffered incarceration for a period of 4 months and 11 days.

6. In view of the aforesaid facts, this Court is of the considered opinion that the petitioner deserves to be granted the concession of bail.

7. Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on a regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate/Chief Judicial Magistrate, subject to the petitioner filing the undertaking as already noted.

8. The petition stands allowed.

9. All the pending miscellaneous applications, if any, are also disposed of.

August 24th, 2023

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*