

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

CRM-M-42201-2023

Date of Decision: 04.09.2023

Dinesh Thakran

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Chander Pal Tiwana, Advocate, for the petitioner.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present fourth petition is for grant of regular bail to the petitioner in a case FIR No.130, dated 12.07.2012, registered under Sections 302, 34, 452 IPC and Section 25 of Arms Act, (but later on challan was presented under Sections 302, 307, 452, 120-B IPC and Section 25 of Arms Act) at Police Station Pataudi, District Gurugram.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 24.01.2023 and the trial of the case will take sufficient long time. He further submits that in these circumstances, no purpose would be served by keeping the petitioner behind bars for such a long time and as such he be released on bail.

Learned State counsel has submitted that earlier bail petition of the petitioner was declined on 15.03.2023. She has submitted that there were 9 accused in the present petition, out of which on conclusion of the trial, 5 accused have been acquitted and 3 accused have been convicted for life sentence vide order dated 17.12.2015. She submits that the petitioner was declared proclaimed offender on 09.05.2015 and thereafter he was arrested on 13.05.2018 and this Court granted him bail on 25.01.2019. She

further submits that the petitioner again absented himself on 26.04.2022 and thereafter, he surrendered on 24.01.2023. She submits that the petitioner is habitual of absenting himself from the trial and as such he is not entitled to be released on bail.

In reply to the contentions raised by learned State counsel, learned counsel for the petitioner has submitted that the petitioner is ready to furnish heavy surety, if he is ordered to be released on bail.

After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was declared proclaimed offender due to his absence from trial and thereafter, he was arrested on 13.05.2018 and was granted bail on 25.01.2019. The petitioner again absented himself on 26.04.2022 and thereafter, surrendered on 24.01.2023. This shows that the petitioner has a scant respect for law. Time and again he is absenting himself from the trial. In view of above, this Court finds that there is no change in the circumstances which would be considered sufficient for the grant of regular bail to the petitioner and as such the petitioner is not entitled to be released on bail.

The petition stands dismissed at this stage.

04.09.2023
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE
: Yes/No
: Yes/No