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

CRM-M-51226-2022 (O&M)

Date of Decision: 13.07.2023

Rahul

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Mazlish Khan, Advocate,
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.231 dated 23.05.2018, under Sections 186, 332, 353, 427 & 307 IPC and Sections 7 &13 of the Haryana Gauthansh Sanrakshan and Gausamvardhan Act, 2015 and Section 25 of the Arms Act, registered at Police Station Dharuhera, District Rewari.

2. It has been submitted by learned counsel for the petitioner that earlier the petitioner was granted bail by the learned Additional Sessions Judge, Rewari vide Annexure P-1 on 19.03.2019 and thereafter, he had been regularly appearing before the Court, but thereafter, on 22.03.2022 he could not appear before the learned Court because he was stated to be taken in custody in some other FIR and that was the reason as to why he did not appear before the Court and thereafter, his bail bonds were cancelled. He further submitted that the petitioner again filed an application for grant of

bail before the Sessions Court but the same was dismissed on 11.10.2022 vide Annexure P-2 probably because he had earlier jumped the bail. He also submitted that in the present case, the name of the petitioner was nominated on the basis of the suspicion because he was earlier involved in similar kind of cases but there is no material available with the police to connect the petitioner with the present offence especially when the alleged offence had taken place during night time. He further submitted that the petitioner will abide by the condition passed by the Court and will appear regularly before the Court and therefore, he may be considered for the grant of regular bail.

4. On the other hand, Mr. Vishal Kashayap, learned DAG, Haryana has stated that the petitioner had earlier jumped the bail, therefore, he may not be granted bail and there is an apprehension that he may again jump the bail.

5. I have heard the learned counsel for the parties.

6. The petitioner earlier granted the bail but he jumped the bail by absenting himself on 22.03.2022 but as per the learned counsel for the petitioner and as per the order dated 11.10.2022 whereby his bail application has now been dismissed by the learned Additional District & Sessions Judge, on the aforesaid date the petitioner was not present in the Court because he was in custody in some other FIR.

7. In view of the aforesaid facts and circumstances of the case, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in

13.07.2023

(JASGURPREET SINGH PURI)

JUDGE

Yes/No

Yes/No