

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

CRM-M-59603-2023

Date of Decision: December 22, 2023

SARAVJEET ALIAS SARVA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. D.S. Virk, Advocate for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.380 dated 02.12.2015 registered under Sections 309 & 402 IPC and Section 25 of Arms Act at P.S. Sadar Sirsa, District Sirsa wherein, weapons were recovered from the petitioner and other co-accused who were allegedly planning to commit a dacoity.

2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the serious allegations levelled against the petitioner.

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

4. Having been implicated in the aforementioned FIR, the

2023:PHHC:165467

petitioner was lastly granted bail vide order dated 01.02.2018 and thereafter, continued to appear before the trial Court. On 03.10.2022, the petitioner absented himself resulting into his declaration as a proclaimed offender vide order dated 26.11.2022. Thereafter, the petitioner was arrested on 17.01.2023 and is behind the bars for a period of almost 11 months now and having suffered sufficient incarceration on account of having absented himself, this Court does not find justification to extend his incarceration any further.

6. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

22.12.2023
Tejwinder

(HARKESH MANUJA)
JUDGE

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