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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9047-2024
Date of decision: 28.02.2024

Akhtar @ Amjad

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Sunita Gupta, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case having FIR No.887 dated 27.12.2018 under Sections 398, 401 of IPC and Sections 25/54/59 of Arms Act, registered at Police Station Nuh, District Mewat.
2. Counsel for the petitioner submits that the petitioner was granted regular bail vide order dated 06.03.2019 (Annexure P-1) and thereafter, due to some unavoidable circumstances, the petitioner jumped bail and was declared PO but subsequently, he was re-arrested on 15.07.2023 and since then he is lodged in judicial custody and trial is not progressing ahead and as per prosecution version, at the time of alleged occurrence, the petitioner was armed with weapon i.e. stick recovery of

which is already effected.

3. On the other hand, the State counsel while resisting the present petition submits that in case, the petitioner is granted bail he will again abscond. All the other accused, in the present case, have gone underground. However, the State counsel on instructions from ASI Rajesh has not disputed that earlier petitioner was granted regular bail vide order (Annexure P-1) by the Court of Additional Sessions Judge, Nuh but he jumped bail and thereafter re-arrested on 15.07.2023 and since then is in custody.

4. In light of the foregoing reasons, as the petitioner was given benefit of regular bail at the initial stage vide order (Annexure P-1) and presently he is in judicial custody for last 7 months since, the date of his re-arrest and the trial is not progressing ahead, no fruitful purpose will be served by detaining the petitioner in custody for any longer period.

5. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned, if the petitioner is not required by the police in any other criminal case.

28.02.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**