

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**CRM-M-11286-2024****Date of Decision: 7.3.2024**

Arun @ Saurab and another

....Petitioners**VERSUS**

State of Haryana

....Respondent**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**Present: Mr. Rajesh Duhan, Advocate
for the petitioners.

Mr. Vishal Kashyap, DAG, Haryana

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioners in case FIR No.8 dated 13.1.2021 registered for the offences punishable under Sections 323, 379-B, 452 and 34 IPC (Sections 506 IPC deleted and Section 325 IPC added later on) at Police Station Kunjpura, District Karnal.

2. Counsel for the petitioners submits that earlier both the petitioners were granted regular bail by the Court of Additional Sessions Judge, Karnal vide order dated 8.7.2021 (Annexure P-2). Thereafter, due to some unavoidable circumstances, the petitioners jumped bail and re-arrested on 11.1.2024 and are presently lodged in judicial custody. Counsel for the petitioners further submits that during trial, material witnesses have not supported the case of the prosecution and that total custody of the petitioners comes out to be more than 5 months.

3. Present petition is resisted by the State counsel who submits that no doubt, earlier the petitioners were released on bail but later on, they absconded and re-arrested on 11.1.2024 and that only one witness remains to be examined on behalf of the prosecution.
4. Mr. Baljeet Nain, Advocate has put in appearance on behalf of the complainant and has not disputed the fact that during trial, the complainant and other material witnesses were declared hostile.
5. In view of above, as the petitioners were earlier also released on regular bail vide order dated 8.7.2021 (Annexure P-2), without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on regular bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

March 7, 2024
Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No