

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M NO.14683 of 2024
DATE OF DECISION: 02.04.2024

Pawan KumarPetitioner

VERSUS

State of HaryanaRespondent

CORAM HON’BLE MR. JUSTICE KULDEEP TIWARI

Present Mr.Lipul Gupta, Advocate,
for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J (ORAL)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.135 dated 10.03.2021, under Sections 379-A/20-1 IPC, registered at Police Station City Sirsa.
2. In the instant petition, the petitioner was arrested on dated 05.07.2021. Thereupon, he was granted benefit of regular bail by the learned trial Court on dated 18.08.2021, however, on account of his non appearance on one day i.e on 29.01.2024, the learned trial Court concerned, proceeded to cancel his bail, and also ordered to forfeit the surety bonds to the State. The petitioner, thereupon, himself surrendered before the learned trial Court on 19.02.2024 and till date he is behind the bars.
3. Counsel for the petitioner submits that the absence of the petitioner is only for one day, and that is too for the reason as assigned in the petition, and there is no deliberate intention to delay the trial. He further submits that since the date he was granted bail i.e in August 2021, he kept on appearing before the learned trial Court

concerned, till January 2024, therefore, it cannot be construed that the petitioner is trying to avoid the proceedings of law.

4. On the other hand, learned State counsel on instructions imparted to him by the official concerned, submits that all the prosecution witnesses are already been examined.

5. Be that as it may, considering the fact that the petitioner was earlier granted the benefit of regular bail, and only there is one default in his appearance which led to his re-arrest, and he is behind the bars since 19.02.2024 and the prosecution witnesses have already been examined, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petition only.

7. All pending application(s) stand disposed of accordingly.

02.04.2024
mamta

(KULDEEP TIWARI)
JUDGE

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