



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

214

**CRM-M-40334-2024(O&M)
Date of Decision: 16.10.2024**

TALIM ALIAS BHOLA

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Pradeep Chhoker, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

The present petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.235 registered under Section 279, 186, 353, 307 of IPC, Section 25 of Arms Act, 1959, Section 3(2)(e) of Prevention of Damage to Public Property Act, 1984 and Section 13(2) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Kasola, District Rewari, on the basis of a complaint lodged by S.I. Vidyasagar on 11.09.2018 alleging therein that on the same day, he, along with other police officials was on patrolling duty at Banipur Chowk, NH-08, Rewari where he received a VT from Control Room Rewari that a pick up vehicle loaded with 3-4 cows is wandering in Factory Areas, Kasola for the purpose of smuggling and slaughtering the same and when they were tried to be apprehended by police officials, they had opened fire with pistol upon them with an intent to kill them. The petitioner had been arrested on 27.02.2019 and had been extended benefit of bail vide order dated



06.06.2019 passed by learned Additional Sessions Judge, Rewari. However, he absented himself during trial. His bail was cancelled and bonds were forfeited to the State. Proceedings under Section 82 of Cr.P.C were initiated against him and he was declared a proclaimed person vide order dated 17.10.2022. He was arrested again and is in custody since 08.12.2023. He moved application for grant of regular bail which had been dismissed by the learned trial Court.

2. It is argued by learned counsel for the petitioner that he is in custody since 08.12.2023. The trial is likely to take time as out of 17 witnesses, only 05 witnesses have been examined so far. He would abide by terms and conditions as imposed by this Court. Hence, it is urged that he may be extended benefit of bail.

3. *Per contra*, learned State counsel has argued that petitioner does not deserve to be extended benefit of bail as he misused the concession of bail previously granted to him and is likely to abscond again. Therefore, it is urged that petition does not deserve to be allowed.

4. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length.

5. The petitioner is in custody since 08.12.2023. He is alleged to be involved in 10 more cases but is stated to be on bail in all those cases. The trial is likely to take time. No useful purpose would be served by detaining him in custody anymore. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, I

2024:PHHC:135802



am of the considered opinion that he deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond and two sureties bonds to the satisfaction to the learned trial Court. That apart, he will visit Police Station Kasola, District Rewari, on the first Monday of every month and shall record his presence. If he fails to mark his presence before the concerned Police Station, the learned trial Court would be at liberty to reject/cancel his bail. Copies of this order be sent to concerned SHO as well as learned trial Court. The concerned SHO shall give intimation about appearance of the petitioner before him in compliance of order passed by this Court during the trial of the case.

6. All pending applications, if any, also stand disposed of accordingly.

16.10.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No