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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-49761-2024 in/and
CRM-M-42743-2024
Date of Decision: 17.12.2024

Sachin Rana @ Chota

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Digvijay Kadian, Advocate and
Mr. Harsh Chopra, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

CRM-49761-2024

1. Application is allowed as prayed for subject to all just exceptions.
Annexures P-7 and P-8 are taken on record.

CRM-M-42743-2024

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.0544 dated 26.11.2018 registered under Sections 392, 397, 216A, 120-B read with Section 34 of IPC and Sections 25, 54, 59 of Arms Act, at Police Station Sector-40, District Gurugram.

2. Learned counsel for the petitioner contends that the petitioner was falsely involved in the present case, which was registered on 26.11.2018. He further contends that after completion of investigation, challan was presented



before the Court in March, 2019. The petitioner applied for grant of bail and vide order dated 28.08.2019 (Annexure P-2), the petitioner was granted the concession of bail and thereafter, the petitioner was regularly appearing before the trial Court. Learned counsel further referred to the medical prescription (Annexure P-3) submits that due to ill health of his wife, he could not appear before the trial Court on 05.07.2024 and his bail order was cancelled and was ordered to be served by way of non-bailable warrants. On coming to know about it, the petitioner immediately surrender on 22.07.2024 and is in custody since then. He further submits that the petitioner shall remain present on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings without prior permission of the Court.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had intentionally absconded on 05.07.2024 and the petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. It is not in dispute that vide order dated 28.08.2019 (Annexure P-2), the petitioner was admitted to bail and was regularly appearing before the trial Court. However, he absented on 05.07.2024 as his wife was pregnant and was to be hospitalized.

6. Thus, taking a lenient view of the matter, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty

Magistrate/Chief Judicial Magistrate, concerned.



7. The petitioner shall file an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the court proceedings, without seeking prior permission of the Court.

17.12.2024.
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(N.S.SHEKHAWAT)
JUDGE

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