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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-62144-2023
Date of decision:-01.05.2024

RAVI @ PUJARI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Simranjeet Singh, Advocate
for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
311	01.08.2019	302,303,307,323,325,147, 148,149,109,120-b IPC	Azad Nagar, District Hisar

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner after being arrested in the aforesaid FIR (Annexure P-1) was granted concession of bail by this Court vide order 13.03.2023 (Annexure P-4) passed in CRM-M-33395-2022. He submits that the petitioner thereafter regularly appeared in the trial Court, but due to his counsel having wrongly conveyed the date as 20.05.2023 instead of

17.05.2023 leading to cancellation of his bail and issuance of warrants of arrest by the learned trial Court. He submits that petitioner was arrested on 05.08.2023 and since then he is in custody. He submits that the petitioner has been in custody on account of his absence on one date in the trial Court and undertakes that if granted concession of bail he will regularly appear in Court on each and every date of hearing without fail, as such prayed for grant of bail.

3. *Per contra*, learned State counsel has not disputed the factual matrix of the case and also not disputed the fact that earlier the petitioner was granted concession of bail by this Court (Annexure P-4) and the petitioner is in custody on account of his absence from proceedings as per Annexure P-3. He submits that the petitioner is having other criminal cases registered against him, as such he is not entitled for concession of bail.

4. After considering the rival contentions and perusing the record, it transpires that petitioner was granted concession of bail in the FIR (Annexure P-1) by this Court vide order dated 13.03.2023 (Annexure P-4). It is not disputed that petitioner had been appearing in the learned trial Court but absented from proceedings on 17.05.2023 (Annexure P-3) and learned trial Court issued arrest warrant against the petitioner. The petitioner was arrested on 05.08.2023 and since then he is in custody. Although, it is alleged that the petitioner was involved in 30 criminal cases, it is not disputed that as per Para No.12 of the petition, petitioner has since been acquitted in 16 cases and in 4 cases he has been sentenced to punishment for a period already undergone. It is out of place to mention here that the petitioner was granted

concession of bail in the instant FIR (Annexure P-1) vide order dated 13.03.2023 (Annexure P-4) and presently he is in custody on account of absence from Court proceedings on 17.05.2023 (Annexure P-3) leading to cancellation of his bail. The conclusion of trial to ascertain criminal liability, if any of the petitioner will take sufficient long time and no purpose would be served by detaining the petitioner any longer in custody.

5. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds with two sureties in the like amount to the satisfaction of learned trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date without fail and only in case of extreme exigency he will seek prior exemption from the court in accordance with law.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

01.05.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |