



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

CRM-M-14324-2025(O&M)

Date of Decision:14.07.2025

Ashraf @ Asraf

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Mohd. Arshad, Advocate
 for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No.621, dated 25.12.2006, under Sections 307, 323, 353, 186, 148, 149, 279, 336 of IPC, Section 25 of Arms Act and Section 4A and 8 of Cow Slaughter Act, registered at Police Station Civil Lines, District Hisar.

2. Learned counsel for the petitioner submits that the petitioner was falsely involved in the FIR, which was registered on 25.12.2006 and the allegations levelled by the prosecution in the present case are highly unbelievable and apparently false. He next contends that earlier, the petitioner was ordered to be released on regular bail and was regularly appearing before the Trial Court on each and every date of hearing. Due to some unavoidable circumstances, he could not appear before the Trial Court and the trial Court had cancelled the bail and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of

arrest. Thereafter, he was wrongly declared as a proclaimed offender in the present case on 22.01.2009. The petitioner was arrested in the present case on 24.12.2024 and is in custody since then. He further contends that other co-accused of the petitioner have already been acquitted by the trial Court and further custody of the petitioner will not serve any meaningful purpose.

5. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner has been declared as proclaimed offender on 22.01.2009 and he may abscond from the process of law.

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

7. It is not in dispute that that the petitioner was on bail earlier and was regularly appearing before the Trial Court. Due to unavoidable circumstances, the petitioner could not appear before the trial Court and has been declared as proclaimed offender on 22.01.2009. The petitioner was again arrested on 24.12.2024 and is in custody since then. Moreover, other co-accused have already been acquitted by the trial Court. Thus, further custody of the petitioner will not serve any meaningful purpose. Thus, taking a lenient view of the matter, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing bail bonds and surety to the satisfaction of the concerned Court.

8. At the time of furnishing of bail bonds, the petitioner shall also 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, except with prior permission of the Court.

9. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

10. The petition stands allowed in the above terms.

11. Pending application, if any, stands also disposed of.

14.07.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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