

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

**Criminal Misc. M-32779 of 2014 (O&M)
Date of Decision: 13.3.2015**

Rajbir Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Arvind Singh, Advocate
for the petitioner.

Mr. Ashish Yadav, Additional A.G. Haryana.

Mr. Rahul Gautam, Advocate
for the complainant.

RAMESHWAR SINGH MALIK J.(ORAL)

Petitioner seeks pre-arrest bail in FIR No. 266 dated 26.7.2011 under Sections 302/201/452/323/506/34 IPC registered at Police Station Indri, Karnal.

Learned counsel for the petitioner submits that neither petitioner was named in the FIR nor any challan was presented against him, after conclusion of the investigation. He further submits that the petitioner was found innocent. However, later on, he came to be summoned under Section 319 Cr.P.C. He would next contend that in compliance of the order dated 23.9.2014 passed by this Court,

petitioner has already surrendered before the learned trial court and he is appearing on each and every date of hearing. He prays for allowing the present petition.

On the other hand, learned counsel for the State as well as learned counsel for the complainant submit that petitioner has been summoned under Section 319 Cr.P.C. as an additional accused to face criminal trial. They further submit that since the offence was of grievous nature, petitioner was not entitled for the concession of pre-arrest bail. They pray for dismissal of the petition.

Having heard the learned counsel for the parties and without expressing any opinion on the merits of the case, lest it should prejudice the rights of the either of the parties, order dated 23.9.2014 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

However, keeping in view the peculiar facts and circumstances of the case, learned trial court is directed to ensure early conclusion of the trial, making an endeavour that no unnecessary delay takes place.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

13.3.2015
AK Sharma