

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

CRM M-21237 of 2016

Date of Decision : September 19, 2016

Anil	VERSUS	Petitioner
State of Haryana		Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. Ashok S. Chaudhary, Addl. A.G., Haryana.

Mr. Chanderhas Yadav, Advocate
for the complainant.

T.P.S. MANN, J. (Oral)

Prayer made in the petition filed by Anil is for grant of
interim bail to him.

The petitioner along with others is facing trial in case
FIR No. 569 dated 8.9.2012 under Sections 364/302/201/120-B
IPC and Sections 25/27 of the Arms Act registered at Police
Station Jhajjar.

Before filing the present petition, the petitioner had
twice moved this Court for the grant of regular bail but remained
unsuccessful as those two petitions came to be dismissed on
9.5.2014 and 29.10.2015, respectively.

According to the petitioner, he has stone in
his gallbladder, for which, he is required to undergo surgery.

However, he is not being taken to General Hospital, Jhajjar for the operation. Reason mainly is non-availability of police escort.

Learned State counsel and learned counsel for the complainant have informed the Court that the trial of the case has reached the stage of defence evidence, if any and arguments and now the trial is fixed for 29.9.2016. It is also stated that in case of the petitioner is granted *interim* bail, he is likely to jump the same as had happened in the case of his brother Surender.

It may be noted that Surender brother of the petitioner jumped the bail but fact remains that he is presently in custody. Further, as per the short reply dated 25.7.2016 brought on record by the learned State counsel, the petitioner was twice granted *interim* bail, i.e. from 27.1.2014 to 7.2.2014 and 11.12.2014 to 14.12.2014. There is no material on the record that the petitioner did not report to the authorities on the expiry of the aforementioned period, for which, he had been granted the concession of *interim* bail.

Taking into consideration the facts, as stated above, and that there is a stone of size 16 mm seen in his gall bladder on ultrasound of abdomen, this Court is of the view that the petitioner deserves to be granted the *interim* bail.

Resultantly, the petition is accepted. Let the petitioner be released on *interim* bail for a period of seven days

w.e.f. 21.9.2016 subject to his furnishing personal bond in the sum of Rs.1,00,000/- with two sureties in the like amount to the satisfaction of the Chief Judicial Magistrate, Jhajjar. He shall surrender before the trial Court on 29.9.2016 on expiry of period, for which, he is granted *interim* bail.

September 19, 2016
amit rana

(T.P.S. MANN)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No