

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

**CRL. MISC. No.M-20800 OF 2017**  
**DATE OF DECISION : 18<sup>th</sup> JULY, 2017**

**Chandhra Shekhar**

**.... Petitioner**

**Versus**

**State of Haryana & another**

**.... Respondents**

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI**

\* \* \* \*

Present : Ms. Tanu Badi, Advocate for the petitioner.

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**A. B. CHAUDHARI, J. (ORAL)**

Heard learned counsel for the petitioner.

Notice of motion to respondent No.1 State of Haryana only.

Looking to the limited prayer made by the petitioner namely for issuance of direction to decide the bail application pending before the learned Additional Sessions Judge, Panchkula or Special Judge (CBI) Panchkula, I think, it is not necessary to issue notice to respondent No.2- CBI, as no adverse order is being passed against respondent No.2.

It is not in dispute that the State of Haryana had transferred the investigation to CBI for the offences punishable under Sections 120-B, 409, 420, 467, 468, 471 IPC and Sections 13(2) read with 13(1)(d) of PC Act, 1988. It appears that thereafter the investigation was taken over by the CBI. The petitioner applied for grant of regular bail before the Special Judge, CBI since he is in custody. However, his petition is kept pending and has not been decided to await further response from the High Court and consequently the learned Judge has not decided the petition for grant of bail.

In my opinion, since the liberty of a person is involved, whether the matter is pending before the High Court or not, the trial Court ought to exercise its jurisdiction and decide the petition for grant of bail to the petitioner one way or the other, in accordance with law. The same cannot be kept pending for any such reason.

In that view of the matter, this petition is disposed of with direction to learned Additional Sessions Judge, Panchkula or Special Judge (CBI) Panchkula to decide the application of the petitioner for bail, in accordance with law.

**18<sup>TH</sup> JULY, 2017**  
*'raj'*

**(A. B. CHAUDHARI)**  
**JUDGE**

|                                  |   |            |           |
|----------------------------------|---|------------|-----------|
| <i>Whether speaking/reasoned</i> | : | <i>Yes</i> | <i>No</i> |
| <i>Whether Reportable</i>        | : | <i>Yes</i> | <i>No</i> |