

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 44714 of 2017 (O&M)

Date of decision : 21.12.2017

...

Chaman Lal

.....Petitioner

vs.

State of Haryana and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Manish Mehta, Advocate for the petitioner

Mr. Gaurav Bansal, Assistant Advocate General,
Haryana.

Mr. D.K. Singal, Advocate for the respondent No.2.

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H. S. Madaan, J. (Oral)

Mr. D.K. Singal, Advocate, has appeared on behalf of
respondent No.2, by filing vaklatnama, which be taken on record.

Learned counsel for the petitioner states that petitioner has
since appeared in the trial Court and has been granted bail. He further
submits that since it is a complaint case and the petitioner has put in
appearance, therefore interim bail granted to him by made absolute.

Whereas, the request is being opposed by Mr. D.K. Singal,

counsel for the complainant-respondent No.2, submitting that keeping in view the gravity of allegations, the application be declined.

However, I am of the view that in a complaint case, the first thing to be ensured is the presence of the accused and their guilt shall be determined during the trial, the conclusion of which is likely to take some time. The custody of the petitioner during that period shall not serve any fruitful purpose.

Therefore, the interim bail granted to the petitioner vide order dated 27.11.2017, is made absolute, subject to fulfillment of conditions envisaged under Section 438(2) Cr.P.C.

The petition in that way is allowed.

(H.S. Madaan)
Judge

21.12.2017

chugh

Whether speaking / reasoned

Yes/ No

Whether reportable

Yes/ No