

CRM-M-48823-2018

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

CRM-M-48823-2018

Date of Decision: 18.12.2018

Harish Kumar

... Petitioner

Versus

Satish Kumar and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepak Sharma, Advocate,
for the petitioner.

Mr. Tejpal Singh Dhull, Advocate,
for respondent No.1.

Mr. Tanuj Sharma, AAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in Criminal Complaint No.293 dated 05.09.2016 (Annexure P-1), under Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, Police Station Talheri, Ambala.

Notice of motion has been issued in this case. Learned counsel for respondent No.1 and learned State counsel have appeared and contested this petition.

I have heard learned counsel for the parties as well as learned

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From the record, I find that earlier, the petitioner was on regular bail and was appearing before the Court. He absented himself from the court proceedings on 10.09.2018; his bail was cancelled and warrant of arrest was issued against him.

Learned counsel for the petitioner submits that due to severe displacement of disc, the petitioner was unable to move and, therefore, he could not appear before the court on 10.09.2018.

In pursuance of the interim order dated 02.11.2018 passed by this Court, the petitioner has already surrendered before the trial Court and has been released on interim bail.

Keeping in view the facts and circumstances of the present case; without expressing any opinion on the merits of the case and in view of the explanation given by learned counsel for the petitioner, I find that trial of the case may take a long time and no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 02.11.2018, granting interim bail to the petitioner, is made absolute.

18.12.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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