

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13793-2019

Date of decision: 24.04.2019

Rajesh and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioners.

ASI Mohd. Harun.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.221 dated 16.03.2017 under Sections 302, 34, 379-B IPC read with Section 25 of Arms Act, registered at Police Station Camp Palwal, District Palwal.

While granting interim bail to the petitioners, following order was passed by this Court on 27.03.2019: -

“Counsel for the petitioners relies upon the order dated 18.03.2019 passed by this Court in CRM-M No.12045 of 2019 vide which similarly situated Raj Kumar, who was also summoned under Section 319 Cr.P.C., was granted the concession of bail. The operative part of the order dated 18.03.2019 is reproduced as under:-

“....Learned counsel for the petitioner submits that initially, the petitioner was found innocent by the police during the

investigation and was kept in column No.2. It is further submitted that one co-accused of the petitioner namely Sandeep has died and another co-accused Bhagat Singh @ Situ was declared juvenile and he had faced full length trial before the Additional Sessions Judge, Palwal and vide judgment dated 08.10.2018, he was acquitted by the Court, on appreciation of same set of evidence, which is being led in the present case.

A certified copy of the judgment dated 08.10.2018 passed by the Additional Sessions Judge, Palwal is taken on record.

Learned counsel for the petitioner further submits that the petitioner is ready to appear before the trial Court and face the trial.

Learned State counsel, on instructions from ASI Mohd. Harun, submits that the petitioner be directed to appear before the trial Court so that the trial may proceed further.

Without commenting anything on merits of the case, this petition is allowed and the petitioner is directed to appear before the trial Court within a period of 15 days from today and the trial Court will release him on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

Disposed of, accordingly.”

Notice of motion for 24.04.2019.”

Reply by way of affidavit of Deputy Superintendent of Police, Palwal has been filed by ASI Mohd. Harun in the Court today and he has submitted that the petitioners have joined the investigation and are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 27.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

24.04.2019
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No