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Sr. No.107

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20025-2019(O&M)
Date of decision:03.05.2019

Mannu Pandit @ Mannu Sharma

.....Petitioner

versus

State of Haryana

.....Respondent

Coram: **HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

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

Rajbir Sehrawat, J(Oral)

CRM-14467-2019

Allowed as prayed for.

CRM-M-20025-2019

Present petition has been filed for seeking anticipatory bail in FIR No.661 dated 01.07.2018 for the offences punishable under Sections 148, 149, 323, 324, 506 IPC(Section 326 added later on) registered at Police Station Thanesar City, District Kurukshetra.

Learned counsel for the petitioner contends that earlier the petitioner was released on bail pending trial. Petitioner has been duly following the conditions of bail as imposed by the Trial Court. However, now Section 326 IPC has been added in the case, on the same set of facts, for which the petitioner was earlier released on bail. It is further submitted that petitioner is already appearing before the Trial Court. He will appear before the Trial Court even qua Section 326 IPC. However, the only prayer is that the petitioner be protected against the arrest.

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Notice of motion.

On the asking of the Court, Shri Praveen Aggarwal, DAG, Haryana accepts notice on behalf of the State and submits that he has no objection if the petitioner appears before the Trial Court

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

In view of the above, the present petition is allowed subject to the petitioner appearing before the trial Court on or before 13.05.2019. It is further directed that in case, the petitioner so appears before the trial Court then the petitioner shall be released on bail on his furnishing bail bond/surety to the satisfaction of the Trial Court.

3rd May, 2019 **[RAJBIR SEHRAWAT]**
Shivani Kaushik **JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*