

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-45349 of 2018
Date of Decision: 20.08.2019

Sonu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Munish Mittal, Advocate
for the petitioner.

Ms. Dimple Jain, A.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.80 dated 31.03.2018 registered for the offence punishable under Section 306 read with Section 34 of Indian Penal Code, at Police Station GRPS, Ambala Cantt., District Ambala.

Heard.

Learned State counsel submits that petitioner earlier moved application seeking anticipatory bail, which was declined. Thereafter, he surrendered before the Judicial Magistrate, Ambala and vide order dated 05.05.2018, he was taken into custody. On 06.05.2018, a report was submitted by the investigating officer that there is no incriminating evidence against the petitioner. On his report, learned Magistrate ordered discharge of petitioner from the custody on his furnishing personal bond in a sum of ₹20,000/-. Thereafter, the police filed final report against accused Gurdev

Singh on 25.05.2018. The petitioner alongwith two other co-accused was found innocent. Learned trial Court at the time of framing of the charge, summoned the petitioner and other two co-accused. The petitioner again sought pre-arrest bail, which was declined by learned Additional Sessions Judge, Ambala. Thereafter, he moved the present petition and vide order dated 12.10.2018, he was directed to surrender before the trial Court and was ordered to be released on interim bail. On 20.10.2018, he had surrendered before the trial Court and is on interim bail. She further submits that custodial interrogation of the petitioner is no more required as the police has found him innocent.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and order dated 12.10.2018 is made absolute subject to petitioner submitting fresh regular bail bond as per order of trial Court, subject to the following terms:-

- (i) that the petitioner shall keep on appearing before trial Court regularly;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.

August 20, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No