

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

105

CRM-M-49555-2019
Date of decision:26.11.2019

Sunil @ Boxer

.....Petitioner

Versus

State of Haryana.

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

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

Mr. Ramesh Kumar Ambavta, AAG, Haryana with
Mr. Arjun Singh Yadav, Asstt. A.G., Haryana
for the respondent.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 read with Section 482 praying for grant of interim bail in case FIR No.28 dated 26.04.2018 registered under Sections 307, 324, 34 of the Indian Penal Code, 1860, Section 25 of the Arms Act, 1959 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station GRP, Sonapat to enable him to appear in the forthcoming re-appear of B.Com IIIrd year 6th Semester examination.

Vide order dated 20.11.2019, notice of the application was issued to the respondent-State.

Learned State Counsel upon instructions from S.I. Rajbir Singh have submitted that the petitioner indeed is to appear in B.Com IIIrd year examination which is to commence from 27.11.2019 and would continue till 13.12.2019.

The petitioner has annexed a copy of date-sheet (Annexure P-3) indicating the schedule of the examination starting from 27.11.2018 upto 13.12.2019.

Application for interim bail is opposed by learned State Counsel on the ground that the petitioner is guilty of heinous offence.

I have heard learned Counsel for the petitioner as well as learned State Counsel and have gone through the record.

Previously, the petitioner had been granted interim bail by this Court vide orders dated 19.11.2018 and 18.04.2019 for appearing in the B.Com examination which was not misused by him. In view of the facts and circumstances of the case, I am of the considered view that the petitioner deserves the concession of interim bail to take re-appear B.Com IIIrd year 6th Semester examination. Therefore, the petition is allowed and the petitioner is ordered to be released on interim bail from today i.e. 26.11.2019 to 13.12.2019 on furnishing of personal and surety bonds by him to the satisfaction of the learned trial Court to enable him to appear in the said examination.

The petitioner shall surrender before Superintendent, of the concerned Jail on 14.12.2019 before 12:00 noon.

It is made clear that in case the petitioner misuses the concession of interim bail, it shall be open to the prosecution to move an application for cancellation of the same.

26.11.2019

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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