

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

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CRM-M-13789-2020.

Date of Decision: 03.06.2020.

Yash Bansal and another

....Petitioners.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. G.S. Sandhu, Advocate for petitioners.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail to petitioners namely Yash Bansal and Jatin in case F.I.R. No.429 dated 27.05.2019 under Sections 148, 307, 323, 324 and 506 IPC read with Section 149 IPC and Sections 25 and 27 of Arms Act, registered at Police Station Civil Lines Karnal, District Karnal, wherein both the petitioners have been summoned as additional accused to face trial for the above said offences.

Learned counsel for the petitioners *inter alia* contends that though petitioners were named in the FIR but during the course of investigation, they were found innocent by the Investigating Agency and as such they were not challaned by the police. He further submits that petitioners have been summoned as additional accused while invoking provisions of Section 319 Cr.P.C. He further submits that in terms of medico-legal report of injured-Parth, only two injuries, one by sharp-edged weapon and another injury simple in nature, were detected on his person. He further submits that as per police investigation, injury by means of sharp-

edged weapon on the person of injured-Parth has been attributed to co-

accused Sawan from whom alleged recovery of knife has already been effected. He further submits that in a given scenario though petitioners have no nexus whatsoever with the alleged offence but they are ready to join proceedings of above said trial.

Notice of motion.

At the asking of Court, Mr. Saurabh Mohunta, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to him.

In view of above, as petitioners have been summoned as additional accused while invoking provisions of Section 319 Cr.P.C. and they have shown their keenness to submit to the trial, without commenting anything on the merits of the case, instant petition for grant of pre-arrest bail to the petitioners is disposed of in the manner that petitioners shall surrender before the Trial Court on or before 02.07.2020, date already fixed before the trial Court and on surrender, they shall be enlarged on bail, subject to their furnishing personal/ surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/ Duty Magistrate, Karnal, as the case may be. Petitioners shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit. However, petitioners have been given liberty to defer the furnishing of surety bonds due to COVID-19 but they are directed to furnish the surety bonds on culmination of nationwide lockdown due to COVID-19.

Disposed of accordingly.

03.06.2020

jitender

(LALIT BATRA)
JUDGE

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No