

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19056-2020 (O&M)

Date of Decision: 24.07.2020

Aashu

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Mazlish Khan, Advocate for the petitioner

Mr. Gurbir Singh Dhillon, AAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Aashu stated to be aged 60 years, has filed the present petition *inter alia* with a prayer for quashing the order dated 21.09.2019 (P2) passed by JMIC, Hathin in FIR No.17 dated 09.01.2017 under Sections 306/34 IPC registered at PS Bahin, District Palwal whereby the petitioner has been declared as proclaimed offender. A further prayer is made to grant petitioner the concession of interim bail.

Learned counsel for the petitioner at the outset submits that in fact this Court in case **CRM-M-43791-2019 (Chander & Ors. vs. State of Haryana)** has granted anticipatory bail to the co-accused.

On the asking, learned State counsel on instructions from ASI Ajit Singh submits that 2 other co-accused have also been granted regular bail by the trial court.

In view of the above, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Duty Magistrate/Illaq Magistrate. However, the

petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

It is made clear that for other prayers made to quash the order (P2), the petitioner is given liberty to withdraw the prayer in the present petition and file a fresh one on the same cause of action.

It is however clarified that this order shall not be an embargo in conducting the proceedings against the petitioner under Section 174-A IPC by the trial Court.

So ordered.

24.07.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No