

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20906-2020

DATE OF DECISION: AUGUST 28, 2020

SUNIL

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. KESHAV PRATAP SINGH, ADVOCATE
FOR THE PETITIONER.

KANWAR SANJIV KUMAR, AAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439(A) read with Section 482 Cr.P.C. for grant of interim bail in case FIR No.495 dated 3.8.2017, under Section 302, 34, 120-B IPC and Section 25 of Arms Act, Police Station Hodal, District Palwal.

On 13.8.2020, the following order was passed:-

“Learned counsel for the petitioner contends that the surgery of the mother of the petitioner is scheduled to take place in the end of this month and, therefore, prays for interim bail. It is pointed out by him that the material witnesses including the complainant have already been examined.

Notice of motion.

At the asking of the Court, Mr. Sukhdeep Parmar, DAG, Haryana, accepts notice on behalf of respondent-State and prays for time to verify the health status of the mother of the petitioner.

On his request, adjourned to 27.08.2020.”

In response, the State counsel has produced the OPD Card of Life Care Hospital, Near Railway Station Road, Delhi-Mathura Highway, Hodal and statement of the Doctor and contends that indeed surgery of the mother of the petitioner is scheduled for 2.9.2020.

Learned Counsel for the petitioner further submits that previously also a similar concession was extended to the petitioner vide order dated 6.3.2020 (Annexure P-2) for the purposes of attending a marriage and the said concession was never misused.

Learned State counsel has also not disputed this fact, who on instructions states that the prosecution witnesses have been examined and the case is fixed for 7.9.2020 before the Trial Court for recording the statement of accused under Section 313 Cr.P.C.

After considering the prayer made by the learned counsel for the petitioner and the stand of learned State counsel, this Court does not find any reason to decline the prayer. It is ordered that the petitioner be released on interim bail for two weeks from today subject to his furnishing the requisite bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate concerned. The petitioner is directed to surrender himself before the concerned Jail Authorities on 10.9.2020 at 4.30 p.m., failing which the

trial Court will take coercive steps to secure his presence.

The petition is allowed.

August 28, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No

