

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15098-2021 (O&M)
Date of Decision:-12.11.2021

Manish @ Baniya

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Choudhary, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Mahender Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.138 dated 16.4.2015 at Police Station Bhattu Kalan, District Fatehabad under Section 392 of Indian Penal Code and Sections 25, 54 and 59 of Arms Act, wherein offences under Sections 395, 216 IPC were added later on.
2. At the time of issuance of notice of motion on 6.4.2021, the following order was passed:

“The petitioner seeks grant of anticipatory bail as he apprehends his arrest consequent upon cancellation of his bail by the Trial Court vide order dated 16.2.2021.

Learned counsel for the petitioner submits that the petitioner had been granted bail by the Trial Court vide order dated 9.6.2017 in

resepct of FIR No.138 dated 16.4.2015 registered at Police Station Bhattu Kalan, District Fatehabad under Section 392 of Indian Penal Code and Sections 25, 54 and 59 of Arms Act, wherein offences under Sections 395 and 216 IPC were added subsequently, and had been regularly appearing before the Trial Court except for the period when the Courts had been functioning restrictively on account of spread of pandemic COVID-19. It has been submitted that the absence of the petitioner as on 16.2.2021 was on account of the fact that he was not aware that the Courts have resumed working.

Notice of motion for 11.8.2021.

The petitioner is directed to appear before the Trial Court within a period of 10 days from today. In case, the petitioner appears before the Trial Court within a period 10 days from today, the Trial Court shall release the petitioner on interim bail to its satisfaction. ”

3. Learned State counsel has informed that pursuant to interim directions issued by this Court, the petitioner surrendered before the Trial Court and has been released on interim bail.
4. In view of the aforestated position, the petition is accepted and the interim direction issued by this Court vide order dated 6.4.2021 are hereby made absolute subject to the condition that the petitioner shall appear regularly before the Trial Court and abide by any such condition as may be imposed by Trial Court for ensuring his regular presence.

12.11.2021

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No