

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31215-2020 (O&M)

Date of Decision: February 11, 2021

Arshad

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karan Pathak, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

CRM-2798-2021

Application is allowed. Order (Annexure P-11) is taken on
record.

CRM-M-31215-2020

This petition has been filed by the petitioner under Section 438
Code of Criminal Procedure for grant of anticipatory bail in case FIR
No.753 dated 06.11.2018, under Sections 307, 332, 353, 427, 186, 189, 506
and 34 IPC, 1860, registered at Police Station, Mujessar, District
Faridabad. The petitioner apprehended his arrest at the hands of police in
the above FIR.

Learned counsel for the petitioner has invited the attention of
the Court to the order dated 06.10.2020, whereby while issuing notice of
motion to the respondent-State, the petitioner was directed to appear before
the trial court and on his doing so, he was ordered to be released on interim

regular bail. The said order reads as under:-

“Learned Senior counsel contends that the alleged occurrence took place on 06.11.2018 and the petitioner was not named in the FIR, who was later on indicted as an accused on the basis of statement given by accused-Irshad. It is further pointed out that though on 06.06.2019, the petitioner was declared as a proclaimed offender, but later on 30.07.2019, he was declared innocent also. According to him, the further investigation was conducted in this case and finally the petitioner was also sent to face trial through supplementary report dated 29.01.2020. According to him, two investigations in respect of the petitioner are conflicting and the custody of the petitioner may not be useful particularly, when the investigation of the case is complete and the petitioner is willing to join the proceedings.

Notice of motion for 08.01.2021.

Let the petitioner appear before the Judicial Magistrate First Class, Faridabad within one week from today, and on his appearance, he be released on interim regular bail subject to his furnishing the requisite bail bonds and surety bonds. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner appeared before the trial Court, who has been admitted on regular bail vide order dated 08.10.2020 (Annexure P-11). Learned State counsel does not dispute this fact.

In view of the above, no further orders are called for.

Disposed off.

February 11, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No