

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208-A

CRM-M-3090 of 2022
Date of decision:05.05.2022

Sarfaraj and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gautam Dutt, Advocate and
Ms. Jasleen Chahal, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

On 18.02.2022, this Court passed the following order:-

“Heard through video conferencing.

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek pre-arrest bail in case FIR No.110 dated 18.04.2019, registered under Sections 376-D/452/323/506 of IPC, 1860, and Section 25 of the Arms Act, 1959, (erroneously mentioned as 24-25-59 of Arms Act, 1959 in the head-note of the petition) at Police Station Pinangwa, District Nuh.

Status report dated 07.02.2022 by way of an affidavit of Deputy Superintendent of Police, Punhana, District Nuh has been filed on behalf of the respondent-State.

By referring to Paras 03 and 04 of the status report, counsel for the petitioners submits that after a thorough investigation, the petitioners were found to be innocent and have been summoned as additional accused on an application moved under Section 319 of Cr.P.C. He submits that the petitioners are ready to surrender before the trial court and join the proceedings.

State counsel, upon instructions from ASI Raj Kumar, submit that though the FSL report is positive but the DNA report is inconclusive.

List on 22.04.2022.

In case, the petitioners surrender before the trial court and join the proceedings within a period of two week's from today, the trial court shall release them on interim bail subject to furnishing of heavy surety/security bond to its satisfaction.

It shall be open to the trial court to impose any additional condition, it deems it (sic) appropriate.”

Counsel for the petitioners submits that accused petitioners have surrendered before the Trial Court and have been released on interim bail.

This fact has been confirmed by State counsel, upon instructions from P/SI Nikhil.

In view of the above, order dated 18.02.2022 is made absolute.

Petition is disposed of.

May 05, 2022
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>