

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-3264-2022

DATE OF DECISION: 28.01.2022

SUMIT KUMAR

... Petitioner(s)

Versus

STATE OF UT CHANDIGARH

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Harinder Singh Aujla, Advocate
for the petitioner.

Ms. Urvashi Dhugga, APP, U.T., Chandigarh.

ANUPINDER SINGH GREWAL, J. (ORAL)

Learned counsel for the petitioner contends that he is confining his prayer to the grant of interim bail to enable him to take BA IInd year examination which is to commence from 30.01.2022 till 25.02.2022. He further contends that the petitioner is in custody for over 2 ½ years and is not involved in any other criminal case. He also contends that the petitions for interim bail of similarly situated co-accused namely Sushil Kumar in CRM-43660 and 43662 of 2021 and Amandeep Nehra @ Bachhi in CRM-M-14696-2020 have been allowed by this court to enable them to take examination on 22.12.2021 and 07.09.2021 respectively.

Learned State counsel, upon instructions from ASI Hakikat Rai, contends that the factum of examination which commence from 30.01.2022 is verified. She also contends that the examination is online and online facilities would be provided in the jail. She, upon instructions, however, is not in a position to controvert the submissions of learned counsel for the petitioner

that the similarly situated co-accused Sushil Kumar and Amandeep Nehra @ Bachhi have been granted interim bail by this court to enable them to take the examination.

Heard.

The petitioner is in custody for over 2 ½ years, he is not involved in any other case, co-accused have been granted interim bail to take the examination. Therefore, it would be in the interest of justice, if the petitioner is granted interim bail to enable him to take the examination.

Consequently, the petition is allowed. The petitioner would be released on interim bail on 29.01.2022 at 09:00 a.m. to enable him to take examination, subject to his furnishing requisite bonds to the satisfaction of the concerned trial court/Duty Magistrate and he shall surrender before the concerned Jail on 26.02.2022 by 05:00 p.m.

(ANUPINDER SINGH GREWAL)
JUDGE

28.01.2022

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No