

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

207

CRM-M-4876-2022

Date of Decision: February 09, 2022

Kaptan

.....Petitioner(s)

Vs.

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ravinder Rana, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana

(Through Video Conferencing)

ANOOP CHITKARA J. (ORAL)

Vide order dated 09.02.2022, this Court had granted interim anticipatory bail to the petitioner.

2. Learned counsel for the petitioner submits that the co-accused from whom the axe was recovered has already been released on bail. He further submits that role assigned to the petitioner on a lessor footing than the said co-accused. Moreover, in compliance of the order dated 09.02.2022, the petitioner has joined the investigation.

3. This fact has not been disputed by the learned State counsel. However, he opposed the bail on the ground that an old FIR is pending against the petitioner. Moreover, he further submits that in case this Court is inclined to give the bail to the petitioner then it should be subject to the strict and stringent conditions.

4. Be that as it may, the previous FIR is too old to construe criminal history. Given the nature of allegations, no pre-trial incarceration is required. Without commenting on the case's merits and the circumstances peculiar to this case, the petitioners make a case for release on bail.

5. Given above, the present petition is allowed. The order dated 09.02.2022 is hereby made absolute subject to the condition that in case the petitioner repeats or commits any offence in such cases the concerned Court shall keep it in mind that this Court had accorded last opportunity to mend his ways and reform himself.

**(ANOOP CHITKARA)
JUDGE**

February 09, 2022
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