

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

CRM-M-6584-2022 (O&M)

Date of Decision:-27.7.2022

Lalit Chauhan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepender Singh, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Johan Kumar, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case arising out of FIR No.495 dated 25.6.2019, Police Station Sadar Palwa, District Palwal under Sections 302 and 34 of Indian Penal Code, wherein the petitioner has been summoned with the aid of Section 319 Cr.P.C..
2. At the time of issuance of notice of motion, the following order was passed on 17.2.2022:

“The petitioner, who has been summoned with the aid of Section 319 Cr.P.C. vide order dated 9.7.2021 passed by learned Additional Sessions Judge, Palwal to face trial in respect of a case registered vide FIR No.495 dated 25.6.2019, Police Station Sadar Palwa, District Palwal under Sections 302 and 34 of Indian Penal Code, has approached this Court seeking grant of anticipatory bail.

Notice of motion for 27.7.2022.

At this stage, Mr. Johan Kumar, Advocate has put in appearance on behalf of the complainant and has filed power of attorney, which is taken on record.

In the meantime, the petitioner directed to appear before the Trial Court within a period of 10 days from today. Upon appearance of the petitioner, the Trial Court shall release him on *interim* bail subject to his furnishing bail bonds/surety bonds to its satisfaction.”

3. Learned State counsel assisted by learned counsel for the complainant has submitted that infact it is the petitioner, who would be the main accused as it is the petitioner to whom the deceased had advanced an amount of Rs.2,000/- and that on the day of occurrence the petitioner accompanied by 3 other persons had taken along the deceased, who was later found to be murdered. Learned State counsel has, however, informed that pursuant to interim directions the petitioner has appeared before the Trial Court and has been appearing regularly thereafter. It has also been informed that the petitioner otherwise has a clean record and is not involved in any other case.
4. Having regard to the aforestated position particularly the fact that it is a case where the investigation is already complete and the petitioner has been summoned with the aid of Section 319 Cr.P.C. and has also appeared before the Trial Court, his detention would not serve any useful purpose. The petition, as such, is accepted and the interim directions issued by this Court vide order 17.2.2022 are hereby made absolute. The petitioner shall, however, ensure his presence before the Trial Court on each and every date.

27.7.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No