

S.No.266

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

CRM-M-9924 of 2022

Date of Decision:06.04.2022

Mohit**Petitioner**
Vs.
State of Haryana**Respondent**

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Parveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is the first petition filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case bearing FIR No.598 dated 08.11.2018 registered under Sections 148/149/307 IPC and Section 25 of the Arms Act, 1959 (later on Sections 148 and 149 IPC were deleted and Sections 120-B and 34 IPC were added) at Police Station Rohtak Sadar, District Rohtak.

On 09.03.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner, after due investigation was found to be innocent and it was found that the petitioner was not present at the spot and has now subsequently been summoned under Section 319 of Cr.P.C.. It is further submitted that the investigation, in the present case, is over and no useful

purpose would be served by sending the petitioner inside the bar and no recovery is to be effected from the petitioner. It is contended that the petitioner is ready to appear before the trial Court within a period of 15 days from today and thus, prays for interim protection.

Notice of motion.

On advance notice, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of the State and seeks time to get instructions.

Adjourned to 06.04.2022.

The petitioner is directed to appear before the trial Court within a period of 15 days from today and on his appearance, he would be released on bail on his furnishing bail bonds/surety bonds subject to the satisfaction of the concerned trial Court.”

In pursuance of the above-said order, the petitioner had appeared before the trial Court on 14.03.2022 and had furnished bail bonds and had also given surety.

Learned counsel for the petitioner has submitted that in the present case, the petitioner had been declared innocent as per the investigation.

Learned State Counsel has opposed the present petition for anticipatory bail.

Keeping in view the facts as noticed in the order dated 09.03.2022 and also the fact that the petitioner was declared innocent and he was served under Section 319 Cr.P.C and in compliance of the order date

09.03.2022, he appeared before the trial Court and submitted his bail bonds and has also tendered surety, the present petition for grant of anticipatory bail is allowed and the interim order dated 09.03.2022 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

April 06, 2022	(VIKAS BAHL)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No