

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10880-2022

Date of Decision: 15.03.2022

Dharmender @ Dhammal

...Petitioner (s)

Versus

State of Haryana

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Satish Saini, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
163	25.05.2019	City Rewari	148, 149, 302, 307 IPC and 25 Arms Act.

1. The petitioner, incarcerated since 02.06.2019, upon his arrest in the FIR captioned above, has come up before this Court under Section 439 of Code of Criminal Procedure, 1973 (CrPC) seeking interim bail to look after his ailing wife whose surgery for spinal cord is scheduled for 18.03.2022.
2. Learned counsel for the petitioner submits that the petitioner seeks interim bail in order to take care of this wife who is undergoing surgery of her spinal cord. He further submits that the petitioner shall confine all his time to attend his wife.
3. On the last date i.e. 14.03.2022, learned State counsel was asked to ascertain the factum of surgery of the wife of the petitioner.
4. Learned State counsel, on instructions from SI Arvind Kumar, submits that surgery for spinal cord of the wife of the petitioner is fixed for 18.03.2022.
5. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes

a case for interim bail, subject to the following terms and conditions, which shall be over and above and irrespective of the contents of the form of bail bonds in chapter XXXIII of CrPC, 1973.

6. Given above, provided the accused is not required in any other case, the petitioner shall be released on interim bail in the FIR mentioned above for a period of 30 days from the date of his release, subject to furnishing a personal bond of Rs. Twenty Five thousand (INR 25,000/-) to the satisfaction of the concerned Court/ Judicial Magistrate having the jurisdiction over the Police Station conducting the investigation, and in case of non-availability, any nearest Illaqa Magistrate/Duty Magistrate. Before accepting the sureties, the concerned Court must satisfy that if the accused fails to appear in Court, then such surety is capable of producing the petitioner before the Court.

7. The petitioner shall not contact, call, text, message, remark, stare, stalk, make any gestures or express any unusual or inappropriate, verbal or otherwise objectionable behavior towards the victim and victim's family, either physically, or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home or contact or pressurize any witness. He shall stay away at a distance of 1 km. from the houses of the victim/witnesses.

8. The petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within 5 days from today and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case.

9. Since the petitioner is being released on interim bail, he shall devote all his time only for the well being of his wife who is undergoing spinal surgery.

10. The petitioner shall surrender latest by 18.04.2022 by 4-00 P.M.

11. *There would be no need for a certified copy of this order for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

Petition allowed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

March 15, 2022
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No