

CRM-M-12327-2019

Date of Decision: 26.4.2022

Shah Deen alias Sahia and others

..... Petitioners

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. G.K. Mann, Sr. Advocate with
Mr. Sunil Kumar, Advocate, for the petitioners.
Mr. Neeraj Poswal, Assistant Advocate General, Haryana.
Mr. Gursharan Singh, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioners in a case FIR No.21 dated 9.1.2017, registered under Sections 307, 323, 324, 341, 363, 366-A, 365, 376(D), 148, 149 IPC at Police Station Sampla, District Rohtak, wherein they have been summoned by the Court under Section 193 Cr.P.C.

Learned senior counsel has submitted that after a thorough investigation in this case, all the petitioners were found to be innocent and a cancellation report was prepared against them. However, now the petitioners have been summoned by the Court under Section 193 Cr.P.C. to face the trial.

This Court vide order dated 20.3.2019, kept the proclamation proceedings in abeyance. The petitioners are enjoying this benefit of interim order since then.

Learned counsel for the prosecutrix/victim submits that the FIR was lodged by the brother of the prosecutrix Maskin Ali and she does not stand with the allegations made in the FIR.

Learned State counsel has submitted that the trial is held up as the petitioners are yet to appear before the Court for facing trial.

In the overall facts and circumstances, this Court finds that the cancellation was filed against all of them after investigation in the FIR and they have been summoned by the trial Court and since then, the trial is held up. The present petition is disposed of with a direction to the petitioners to appear before the trial Court on 29.4.2022 the date stated to be fixed there and join proceedings and in case of their appearance as stated above, the petitioners shall be admitted to regular bail during trial subject to the satisfaction of the trial Court.

(RAJESH BHARDWAJ)
JUDGE

26.4.2022

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No