

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

**CRM-M-43181-2021
Date of Decision : 10.01.2022**

Mahender Kumar and another ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM : HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Shailendra Sharma, Advocate
for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Rose Gupta, Advocate for the complainant.

ANOOP CHITKARA, J (ORAL)

The petitioners, apprehending arrest came up before this Court under Section 438 Cr.P.C., seeking anticipatory bail.

2. Vide order dated 13.10.2021, this Court had granted interim anticipatory bail to the petitioners.

3. I have heard the learned counsel for the petitioners as well as learned counsel for the complainant. All the pleadings filed by the complainant are taken on record.

4. 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 makes a case for release on bail.

5. Given above, the present petition is allowed. The interim order dated 13.10.2021 is hereby made absolute subject to the condition that the statements made by the petitioners through their counsel, in the interim shall

be complied with and secondly, they will file an affidavit within a period of 10 days from today mentioning all their asset details, all bank account details whether held individually or jointly, fixed deposits, Demat accounts, cash in hand, sovereign metals, moveable or immoveable property and their valuation with an advance copy thereof to learned State counsel as well as to learned counsel for the complainant.

6. On their failure to do so, it shall be open for the State to move an appropriate application for cancellation of bail on this ground alone.

7. The petitioners shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within 30 days from today and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioners shall be entitled to renew and take it back in case of acquittal in this case. They shall not be entitled to keep any firearms till the pendency of the trial.

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

(ANOOP CHITKARA)
JUDGE

January 10, 2022
Manpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No