

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-45031-2022

Date of decision : 17.10.2022

Jaideep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Kamal Sharma, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.393 dated 01.11.2020 registered under Sections 148, 149, 341, 427 and 302 IPC at Police Station Sadar Gohana, District Sonipat.

On 28.09.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner, inter alia, contends that in the present case, after a detailed investigation, the petitioner was declared as innocent and the report under Section 173 Cr.P.C. was submitted against Dharampal @ Pala, Aman, Mohit, Kuldeep, Sandeep and Amit. It is further contended that large number of persons were named in the present case. It is argued that neither in the FIR, nor in the statement of the complainant when he has appeared as PW-2, neither any specific injury has been attributed to the present petitioner nor the petitioner is stated to be armed with a specific weapon. It is submitted that investigation has been completed and custodial interrogation of the petitioner is not required. It is further stated

that the petitioner would appear before the trial Court within a period of 10 days from today and undertakes to appear before the trial Court on each and every date before the trial Court unless his personal appearance is specifically exempted by the trial Court. It is also submitted that co-accused of the petitioner namely Sunita and Govinda have also filed a petition for grant of anticipatory bail bearing CRM-M-36336-2022 and they have been granted interim protection and the said case is pending for 29.09.2022.

Notice of motion for 17.10.2022.

In the meantime, the petitioner is directed to appear before the concerned trial Court within a period of 10 days from today and to give an undertaking to appear on each and every date unless his personal appearance is specifically exempted by the trial Court and on doing so, the concerned trial Court is directed to release the petitioner on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court.

It is made clear that in case, the petitioner does not appear before the trial Court within the aforesaid period or does not give undertaking to appear on each and every date before the trial Court unless his personal appearance is specifically exempted by the Court, then the interim order granted in favour of the petitioner would be liable to be vacated.

September 28, 2022 **(VIKAS BAHL)**
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the order dated 28.09.2022, the petitioner had appeared before the Additional Sessions Judge, Sonipat on 04.10.2022 and had furnished bail bonds and surety bonds, which have been accepted and attested. A copy of the order dated 04.10.2022 has been handed over by learned counsel for the petitioner to this Court which is taken on record as Mark A.

Keeping in view the above said facts and circumstances and the fact that the petitioner has complied with the order dated 28.09.2022, the present petition is allowed and interim order dated 28.09.2022 is made absolute.

Nothing stated above shall be construed as an 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 petition.

(VIKAS BAHL)
JUDGE

October 17, 2022
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No