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

**CRM-M-45459-2022
Date of Decision: 30.09.2022**

Monty Shah alias Oznas

..... Petitioner

Versus

U.T. Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahil Mahajan, Advocate,
for the petitioner.

Mr. A.K. Goyal, APP, U.T., Chandigarh.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 482 read with 439 of the Code of Criminal Procedure for grant of interim bail to the petitioner for a period of 3 days i.e. from 01.10.2022 to 03.10.2022 on account of the wedding of his real sister in case FIR No.197 dated 12.10.2020, under Sections 307, 120-B, 212 IPC and Section 25 of the Arms Act, registered at Police Station Sector-34, Chandigarh.

Vide order dated 29.09.2022, this Court had issued notice of motion to the U.T., Chandigarh and had also directed to verify the factum of marriage of the sister of the petitioner and to file affidavit.

Today, affidavit of Deputy Superintendent of Police, Crime Branch, Chandigarh has been filed in Court and the same is taken on record.

Copy of the same has been supplied to the learned counsel for the petitioner.

The relevant portion of the reply is reproduced as under:-

3. *That one person namely Praveen Kumar, having information about the present interim bail application, got his statement recorded. In the said statement, Praveen Kumar has clearly stated that if the present Petitioner is released on bail, he may himself or through someone, cause harm to Parveen Kumar or his family members. Translated copy of the same statement is annexed here with as Annexure P-2.*
4. *That it is further pertinent to submit that the petitioner was once released on Special Interim Bail due to COVID-19 pandemic, on 28.03.2020, remained absconding for five months. It was after many inter-state raids by the Chandigarh Police and the State announcing prize money for information on the petitioner, that he was arrested in aforementioned FIR No.197 dated 12.10.2020. The Custody certificate states the period of his absconding after his due date for surrendering back at Burail Jail. Further, a perusal of the same reveals that he is facing trial in many other FIR's. Copy of the Custody Certificate is annexed herewith as Annexure P-3.*
5. *That the deponent states that considering the seriousness of the offences being committed by the petitioner wherein already, Trial is continuing and as such, the afore-captioned petition deserves dismissal and may kindly be dismissed. The Security to the Accused Ozans @ Monty Shah cannot be provided as the Police force is busy in festival duties, VVIP duties and other law & order duties. The petitioner who is*

involved in many cases can abscond away.”

Learned counsel for the petitioner has stated that in view of the affidavit filed by the U.T., Chandigarh, he may be permitted to withdraw the present petition.

Dismissed as withdrawn.

30.09.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |