

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

CRM-M-26817-2023

Date of decision: 23.08.2023

SABHI DHARIWAL

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Rishabh Singla, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C. seeking issuance of a direction to the arresting officer to release the petitioner on bail in the event of his arrest in complaint case No. COMI-35-2019 dated 24.09.2019 pending in the Court of Sub Divisional Judicial Magistrate, Nakodar, whereby the petitioner is summoned under Sections 452, 427, 506, 148 and 149 of IPC (Annexure P-2).

2. As per office report, notice to respondent No.2 duly served through his counsel, but none has put in appearance on behalf of respondent No.2.

3. Learned counsel for the petitioner intimates that in pursuance to the order dated 26.05.2023, the petitioner has surrendered in Court on 02.06.2023 and has also placed on record the certified copy of the order dated 02.06.2023 passed by the Court of learned Judicial Magistrate Ist Class, Nakodar.

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4. Learned State counsel has also affirmed this fact.
5. Keeping in view the above facts and circumstances, since the petitioner had already appeared in the trial Court and joined the proceedings in pursuance to the order dated 26.05.2023, the aforesaid order is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, he will not tamper with the evidence nor will influence the witnesses; shall appear in Court on each date of hearing.
6. The petition stands allowed.

(SANJIV BERRY)
JUDGE

23.08.2023
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No