

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

**CRR No. 4482 of 2016 (O&M)
DATE OF DECISION :- 03.10.2023**

Manoj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present:- Mr. Karanvir Singh, Advocate
for Mr. F.S. Virk, Advocate for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

The petitioner preferred this revision petition against the orders passed by the Courts below declining grant of bail to the petitioner under Section 167(2) Cr.P.C.

2. This Court on 20.12.2016 recorded the statement of the petitioner to the effect that he does not wish to press for bail under Section 167(2) Cr.P.C and this Court vide order dated 20.12.2016 converted the present revision petition into a petition under Section 439 Cr.P.C i.e. petition seeking admission to regular bail pending trial.

3. Vide order dated 6.4.2017, the petitioner is ordered to admitted to interim bail to the satisfaction of the trial Court observing as under :-

“Pursuant to the order dated 20.02.2017, learned counsel for the petitioner as also for the State, submit that a blood sample of the petitioner was taken in the Court and after due sealing thereof was sent to the Central Forensic Laboratory, Delhi, for matching with the DNA of the uterus and foetus contained in the uterus of the deceased.

Mr.Sandhu, learned counsel for the State, further submits that as per the communication received from the Central Forensic Science Laboratory, Delhi, the testing is still under process and would be completed and sent to the investigating agency. Adjourned to 05.05.2017 to await the report of the FSL, Delhi. The Director, FSL, Delhi, is requested to ensure that the report is sent by the next date of hearing before this Court.

Upon specific query to learned State counsel, on instructions, he submits that the petitioner is a permanent resident of Ludhiana.

Learned counsel for the petitioner submits that the father of the petitioner is in fact a permanent employee of the Punjab Agriculture University, Ludhiana. The petitioner is stated to have been in custody since July 2016 with the trial still at an early stage.

Consequently, the petitioner is ordered to be admitted to interim bail to the satisfaction of the trial Court, which would ensure that sufficiently adequate amounts, are furnished by way of bail bonds and the surety.”

4. It is not disputed that since then the petitioner stands admitted to bail. There is no allegation that the petitioner ever misused the concession granted by this Court in last more than 6½ years. The trial has proceeded

considerably and thus there cannot be any apprehension that the petitioner shall temper with the evidence.

5. In view of the above, the interim order dated 6.4.2017 passed by this Court granting interim bail to the petitioner is made absolute.

6. The petition is disposed of accordingly.

(PANKAJ JAIN)
JUDGE

03.10.2023
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No