

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-40525-2021
Date of Decision: 16.02.2023

Kapil Garg Petitioner
Versus
Ram Dass Bansal and another Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Sourabh Goel, Advocate for the petitioner.
Mr. Ishan Gupta, Advocate for respondent No. 1.
Mr. Sinish Girdhar, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

Counsel for the petitioner submits that he would be contended and satisfied in case, the petitioner be permitted to file a petition for bail under Section 439 Cr.P.C. directly before this Court and without surrendering and also with liberty to take an interim protection till date, the matter listed before this Court.

Since, the law is settled qua interim bail in Sandeep Kumar Bapna’s case (2014), as such, the present petition is disposed of with liberty aforesaid.

It is clarified that to enable the petitioner to file such petition before this Court, there shall be stay of his arrest till 28.02.2023. It is further clarified that such petition be filed positively before 28.02.2023 and the protection shall eclipse on 28.02.2023. It is also clarified that the Registry shall not raise any objection about the petitioner not being in custody in the application filed under Section 439 Cr.P.C.

(ANOOP CHITKARA)
JUDGE

16.02.2023
Jyoti-II

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>