

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CRM-M-46084-2023 (O&M)

Date of Decision: 14.09.2023

DEVENDER VERMA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Tajeshwar Singh Sullar, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Precisely, the prayer in this petition is for issuance of directions to the learned trial Court to decide the bail application of the petitioner expeditiously, preferably on the same day, on which the petitioner will surrender, as per the directions of this Court.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in FIR No.33 dated 05.03.2019, registered under Sections 406, 420, 120-B IPC, at Police Station Sadhaura, District Yamunagar; that the petitioner was arrested on 19.01.2021; that, thereafter, due to Covid-19 pandemic, the petitioner was ordered to be released on interim bail on 06.09.2021 and that the said interim bail was extended from time to time.

Learned counsel for the petitioner has drawn the attention of this Court to the order dated 10.10.2022 passed by the learned Judicial Magistrate, 1st Class, Sub-Division Bilsapur (Annexure P-2 @ Pg.23), wherein signatures of the petitioner had been appended and his presence

was marked. He further submits that the earlier regular bail petition preferred by the petitioner was dismissed by this Court vide order dated 14.07.2023, on the ground that the petitioner was neither in custody nor was there any order indicating that he was on interim bail, rather the petitioner has been regularly appearing.

At this stage, learned counsel for the petitioner submits that the petitioner is again ready to surrender before the Court below and will move an application seeking regular bail before the Court below. He, however, submits that the learned Court be directed to decide the said bail application on the said day.

In support of his contentions, learned counsel for the petitioner relies upon the order passed by the Hon'ble Supreme Court in Manish Jain vs Haryana State Pollution Control Board, 2020 (20) SCC 123.

Notice of motion.

On the asking of this Court, Mr. Rupinder Singh Jhand, Additional AG Haryana, accepts notice on behalf of the respondent-State and submits that he has no objection if the aforesaid limited prayer made by the learned counsel for the petitioner is allowed.

Heard.

As noticed above, in the order dated 10.10.2022 passed by the learned Judicial Magistrate, 1st Class, Sub-Division Bilsapur, the presence of the petitioner had been marked and his signatures had been appended.

Be that as it may. Keeping in view the limited prayer made

by the learned counsel for the petitioner, the petitioner would be at liberty to surrender and move an application seeking regular bail before the Court below within 10 days from today, if so advised. On his doing so, the learned trial Court is directed to decide the said bail application on the said day itself.

Disposed of in the above terms.

14.09.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No