

Neutral Citation No.2023:PHHC:163344

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
CRM-M-50994 of 2023 (O&M)
Date of decision : 19.12.2023

...
Tarsem Lal and another
.....Petitioners

vs.

State of Haryana
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Tarun Sharma, Advocate for the petitioners.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana

...

MANJARI NEHRU KAUL, J. (ORAL)

The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No. 118 dated 7.10.2019, under Sections 148, 149, 323, 506 of the Indian Penal Code, 1860, registered at Police Station Naggal, District Ambala.

2. Vide order dated 9.10.2023, the petitioners had been directed to appear before the trial Court and were directed to be admitted on interim bail on his furnishing bail bonds to the satisfaction of the trial Court. The relevant part of the said order reads as under:-

“Learned counsel for the petitioners submits that the petitioners were found innocent during investigation. He submits that other than their

presence being shown at the time of the alleged occurrence, no specific role has been attributed to them much less injury inviting the mischief of Section 307 of the IPC. He submits that subsequently the petitioners were summoned under Section 319 Cr.P.C. to face trial as additional accused, therefore, there is a genuine apprehension on their part that they could be arrested and sent to custody when they appear before the trial Court. ”

3. Learned counsel for the petitioners submits that in compliance of order dated 9.10.2023, the petitioners had appeared before the trial Court and furnished bail bonds. In support, he has placed on record certified copy of order dated 17.10.2023 passed by Additional Sessions Judge, Ambala.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioners having appeared before the trial Court.

5. In view of the above, the petition is allowed and interim order dated 9.10.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuses the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them

(MANJARI NEHRU KAUL)
JUDGE

19.12.2023
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Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No