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2023 : PHHC : 154892

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55345-2023

Date of Decision: 05.12.2023

SATISH AND OTHERS

... PETITIONERS

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vivek Singla, Advocate for the petitioners.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

VIVEK PURI, J. (ORAL)

1. Petitioners are seeking anticipatory bail in the case bearing FIR No. 0346 dated 22.10.2023, under Sections 376 (2)(n), 506 and 120-B IPC, registered at Police Station HSIDC Barhi, District Sonapat.

2. The petitioners have come to this Court without approaching the Court of Sessions for seeking bail under Section 438(2) Cr.P.C.

3. Ordinarily, the petitioners are required to approach the Court of Sessions at the first instance for the grant of anticipatory bail under Section 438(2) Cr.P.C. and only in the event of exceptional circumstances, the bail application can be entertained in this Court at the first instance. No such circumstances are made out in the instant case.

4. In these set of circumstances, the petition is dismissed.

5. However, the petitioners shall be at liberty to approach the Court of Sessions for anticipatory bail.

05.12.2023

Janki

(VIVEK PURI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No