

237/3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-3264-2023

Date of Decision: 07.12.2023

Surender

...Appellant

vs.

State of Haryana and another

...Respondents

Coram : **Hon'ble Mr. Justice N.S.Shekhawat****Present :** Mr. Sanjeev Majra, Advocate
for the appellant.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

Mr. Vivek Dahiya, Advocate
for Mr. Amit Khatkar, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. While issuing notice of motion on 16.11.2023, this Court had noticed the following contentions:-

“Learned counsel for the applicant/appellant further prays that since the applicant/appellant is in custody since 18.08.2023, he may be ordered to be released on bail in view of the fact that the similarly placed co-accused Amit Kumar has already been granted the concession of anticipatory bail by this Court vide order dated 19.10.2023 passed by this Court in CRA S-2949-2023 (Annexure A-2). He further contends that vide orders dated 09.11.2023 passed by this Court in CRA S-3286-2023 titled as “Ashwani Kumar Vs. State of Haryana” and in CRA S-3192-2023 titled as “Sachin Kumar @ Raju Vs. State of Haryana”, the appellants in the said cases have been ordered to be released on interim bail by this Court. ”

2. Learned counsel for the appellant submits that the appellant was arrested in the present case on 18.08.2023 and was ordered to be released on interim bail by this Court on 16.11.2023. Thus, the appellant remained in custody for more than 03 months. Even similarly placed co-accused, namely, Ashwani Kumar and Sachin Kumar @ Raju were granted the concession of interim bail by this Court.

3. On the other hand, learned State counsel has opposed the prayer made by learned counsel for the appellant on the ground that there are serious allegations against him.

4. However, learned counsel for respondent No.2-complainant submits that the appellant had caused injuries to him i.e. Sarpanch of the Village without any reason. He further submits that the present petition was not maintainable.

5. I have heard learned counsel for the parties and perused the record.

6. Without commenting on the merits of the case, the present petition is allowed and the interim order dated 16.11.2023, is made absolute. It is made clear that the appellant shall continue to appear before the learned trial Court on each and every date of hearing and shall not absent before the trial Court, without prior permission of the Court.

07.12.2023

hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No