

CRM-M-59380-2023 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(108)

CRM-M-59380-2023
Date of decision:- 24.11.2023

Harjinder Kumar @ Happy ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Puran Singh Hundal, Senior Advocate with
Mr. Gursahib Singh Hundal, Advocate
for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. Instant petition has been filed under Section 438, Cr.P.C. seeking
grant of pre-arrest bail in:-

FIR No.	Dated	Police Station	Sections
90	28.06.2006	Goraya, District Jalandhar (Rural)	325, 323, 506, 452, 148, 149 and 323, IPC

2. When confronted with the judgment of the Supreme Court in *Manish Jain Versus Haryana State Pollution Control Board 2020 SCC Online SC 1101*, learned senior counsel submits that the petitioner is prepared to surrender before the Trial Court and join the proceedings. In all fairness, he has pointed out that the petitioner has been unsuccessful in a separate petition, instituted by him, seeking quashing of the PO order. He submits that the petition was dismissed by taking in account the fact that the petitioner had gone abroad without permission from the Court. By

inviting the attention of the Court to order dated 20.10.2011, Annexure P-2, counsel submits that the petitioner had gone to United Kingdom, after getting the necessary permission from the Court, but he over stayed as he was given the impression that the trial has concluded. He submits that on surrender, petitioner intends to move an application for regular bail, which may be expedited.

- 3. Request has been considered.
- 4. In case, the petitioner surrenders before the Area Magistrate/Trial Court within a fortnight from today, joins the proceedings and moves an application for grant of bail, Court shall consider his application for bail as expeditiously as possible preferably within one week of its filing. This shall be subject to deposit of cost of Rs.40,000/- with the Poor Patient Welfare Cell, PGIMER, Sector 12, Chandigarh.
- 5. Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

24.11.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No