

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

2024:PHHC:035249

CRM-M-3205-2024

Date of decision: March 12th, 2024

Saurabh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ankit Saini, Advocate
for the petitioners.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking the concession of anticipatory bail in FIR No.98 dated 15.05.2020 under Sections 148, 149, 188, 323, 325, 506 of the IPC (Sections 324, 307, 34 of the IPC added and Sections 148, 149 of the IPC deleted later on) registered at Police Station Shahzadpur, District Ambala.

2. Vide order dated 25.01.2024, the petitioners had been directed to appear before the trial Court and were directed to be admitted on interim bail on their furnishing bail bonds to the satisfaction of the trial Court. The relevant part of the said order reads as under:-

“Learned counsel inter alia contends that during investigation the petitioners were found innocent, and thus, were placed in column No.2 along with the other accused; they were, however, subsequently summoned under Section 319 Cr.P.C. to face trial as additional accused, therefore, now there was a genuine apprehension on their part that they could be arrested and sent to custody as and

when they put in appearance before the trial Court. Learned counsel has further submitted that in the above facts and circumstances, custodial interrogation of the petitioners would not serve any useful purpose.”

3. Learned counsel for the petitioners submits that in compliance of order dated 25.01.2024, the petitioners had appeared before the trial Court and furnished bail bonds. In support, he has placed on record copy of orders dated 13.02.2024 and 22.02.2024 passed by learned 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 25.01.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

March 12th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No