

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-4970-2024

Date of decision: 10.04.2024

Prince @ Prince Chauhan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case 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 later on and Sections 148, 149 of the IPC deleted later on), registered at Police Station Shahzadpur, District Ambala, especially in the event of their appearance before the learned Trial Court in compliance of summoning order dated 10.05.2023 vide which the petitioner has been summoned under Section 319 of the Cr.P.C.

2. On 31.01.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to appear and surrender before the learned Trial Court within seven day:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner was found innocent during investigation and thus was not challaned along with other

accused. He was, however, subsequently summoned under Section 319 of the Cr.P.C. to face trial as an additional accused, therefore, there is a genuine apprehension on his part that he could be arrested and sent to custody when he appears before the trial Court.”

3. Learned counsel for the petitioner submits that in compliance of order dated 31.01.2024, the petitioner has appeared and surrendered before the learned Trial Court, and thereafter has been released on interim bail vide order dated 07.02.2024 passed by learned ASJ, Ambala. In support, he has filed a copy of the order dated 07.02.2024 which is taken on record subject to all just exceptions.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having appeared and surrendered before the learned Trial Court, and thereafter released on interim bail vide order dated 07.02.2024.

5. In view of the above, the petition is allowed and interim order dated 31.01.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.04.2024
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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