



CRR-1354-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRR-1354-2024 (O&M)
Date of Decision : 11.11.2024

Pawan @ Rohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Abhimanu, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant revision petition, challenge is thrown to the order dated 10.07.2024, wherethrough, the application for grant of default bail, under Section 167(2) of Cr.P.C., was partly allowed, by the learned Additional Sessions Judge, concerned. However, the petitioner was directed to surrender, as and when the final report along with the FSL report is presented before this Court.
2. This Court, on dated 24.07.2024, had passed the hereinafter extracted order :-

“1. Through the instant revision petition, the petitioner assails the order dated 10.07.2024, wherethrough, although his application for grant of default bail under Section 167(2) of the Cr.P.C. was partly allowed by the learned Additional Sessions Judge concerned and he was admitted to interim bail, however, he was also directed to



surrender as and when the Final Report along with the FSL Report is presented before the Court concerned.

2. The learned counsel for the petitioner inter alia submits that the direction (supra) is totally against the settled proposition of law laid down by the Hon'ble Supreme Court in "State through Central Bureau of Investigation Vs. T. Gangi Reddy Alias Yerra Gangi Reddy", (2023) 4 Supreme Court Cases 253, which was subsequently followed by a Coordinate Bench of this Court in "Bharat Kumar Vs. State of Haryana", CRM-M-21583-2023.

3. Notice of motion.

4. Mr. Bhupender Singh, D.A.G., Haryana, waives service of notice on behalf of the respondent-State.

5. List on 11.11.2024.

6. In the meantime, operation of the impugned order dated 10.07.2024, to the extent i.e. the direction (supra), shall remain stayed. However, the petitioner is directed to remain present before the learned trial Court concerned on each and every date of hearing.

7. It is clarified that presence of the petitioner before the learned trial Court concerned shall be treated as if he is on regular bail till decision of this case."

3. In pursuance to the directions (supra), issued by this Court, the petitioner is continuously appearing, before the learned trial Court concerned. Today, the learned counsel for the petitioner, has drawn the attention of this Court, towards the order dated 25.07.2024, passed by the learned trial Court concerned, whereby, the interim bail in the similar way was granted to the co-accused, was made absolute, on his appearing before the learned trial Court concerned. Learned counsel for the petitioner submits that he is also ready to cause appearance, before the learned trial Court concerned.



4. In view of the above, the interim bail granted to the petitioner, by the learned trial Court concerned, vide order dated 10.07.2024, is ordered to be treated as regular bail. The petitioner is directed to cause appearance before the learned trial Court concerned, on the date already fixed i.e. on 28.11.2024, and thereupon, the petitioner shall furnish fresh bail bonds, to the satisfaction of the learned trial Court concerned, which shall be accepted by the latter, to its satisfaction.

5. **Disposed of** accordingly.

6. Pending applications, if any, also stands disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

November 11, 2024
Manpreet

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