

CRM-M-61318-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of Decision: 07.03.2024

KAMAL SINGH -PETITIONER

V/S

STATE OF HARYANA AND ANOTHER -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Pratham Sethi, Advocate and
Mr. Tarnjot Singh Sidana, Advocate
for the petitioner.

Mr. Abhinash Jain, D.A.G., Haryana.

Mr. Hritik Gupta, Advocate
for the complainant.

KULDEEP TIWARI, J. (ORAL)

1. This Court had, on the last date of hearing, i.e. 09.01.2024, after considering the allegations levelled in the FIR, as also the submissions advanced by the learned counsels for the contesting litigants, passed a detailed order, thereby extending the relief of interim bail. This relief was granted subject to the petitioner making his surrender before the learned Magistrate concerned on 16.01.2024.

2. Consequent upon making of the order dated 09.01.2024, the petitioner caused appearance before the learned Magistrate/trial Court concerned on 16.01.2024 and furnished his bail bonds/surety bonds before the latter.

3. The learned counsel for the complainant has submitted that

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though the petitioner has been, vide order (supra), granted the benefit of interim bail, however, the relief (supra) may be made absolute by imposing stringent conditions upon the petitioner, vis-a-vis, the petitioner may be directed to surrender his licensed weapon before the District Magistrate concerned, besides he may be directed to surrender his passport before the learned trial Court concerned. He has also sought issuance of directions upon the petitioner not to cause any threat to the complainant/witness(es).

4. Considering the innocuous prayer made by the learned counsel for the complainant, the petitioner is directed to surrender his licensed weapon before the District Magistrate concerned, which shall not be released without prior permission of the learned trial Court concerned. Moreover, the petitioner is also directed to surrender his passport before the learned trial Court concerned. In case the petitioner complies with these directions, the order made by this Court on 09.01.2024 shall be deemed to have been made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

(KULDEEP TIWARI)
JUDGE

07.03.2024
geeta/devinder

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