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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-1296-2023(O&M)

Date of Decision:07.08.2025

Gaurav Saini

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Ankush Sihag, Advocate with
Mr. Davneet Sangwan, Advocate, for the petitioner.
Mr. Rajinder Kumar Banku, Sr. DAG, Haryana and
Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. While granting the concession of interim bail on 26.07.2023, the following order was passed by a Co-ordinate Bench of this Court:-

“The learned counsel for the petitioner contends that the petitioner was arrested on 21.10.2022 and the challan was submitted without the report of the Chemical Examiner on 18.04.2023 thereby entitling him to the grant of bail as the said challan amounted to an incomplete challan. Reliance is placed on the order of the Hon'ble Supreme Court in the case of Mohd. Arbaz & others Versus State of NCT of Delhi, SLP (Criminal) No.8164-8166 of 2021.

Adjourned to 31.10.2023.

In the meantime, the petitioner is ordered to be released on interim bail for a period of 03 months awaiting the decision of the Hon'ble Supreme Court subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.”

2. Learned counsel for the petitioner contends that in compliance of interim order dated 26.07.2023, the petitioner is regularly appearing before the trial Court and has not misused the concession of bail in any manner. He

further contends that the *SLP (Criminal) No.8164-8166 of 2021* titled as “*Mohd. Arbaz & others Versus State of NCT of Delhi*” has not been decided by the Hon’ble Supreme Court so far and the matter is still pending.

3. On the other hand, learned State counsel has opposed the bail application of the petitioner, however, he could not dispute the factual submissions made by learned counsel for the petitioner.

4. I have heard learned counsel for the parties and perused the record.

5. The petitioner was ordered to be released on interim bail on 26.07.2023 and the matter is pending for over two years. Now, there has been a substantial progress in the trial and the prosecution witnesses are being recorded by the trial Court. Further, it is an admitted position in the present case that the challan was presented before the trial Court, without the report of chemical examiner.

6. Thus, without commenting anything on the merits of the case, it would be appropriate to give a quietus to the matter at this stage as the pendency of the bail application for an indefinite period will not serve any purpose.

7. In view of the statement made by learned counsel for the parties, the present petition is allowed and the interim order dated 26.07.2023 passed by this Court is made absolute. The petitioner shall continue to appear before the trial Court on each and every date of hearing and shall not absent from the trial Court proceedings, without prior permission of the trial Court.

8. Pending application, if any stands also disposed of.

(N.S.SHEKHAWAT)
JUDGE

07.08.2025

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