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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1910-2023(O&M)

Date of Decision:07.08.2025

Amit Garg @ Banty

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Aditya Sanghi, Advocate with
Mr. Kartik Mittal, Advocate and
Mr. Pardeep Bhardwaj, 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 08.11.2023, the following order was passed by a Co-ordinate Bench of this Court:-

“Jointly stated that controversy similar to the present one is pending for consideration before the Hon'ble Supreme Court in SLP(Crl.) No(s).8164-8166/2021.

Be listed after the decision in aforesaid SLPs.

In the meanwhile, petitioner(s) be released on interim bail in the present case on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

However, it is clarified that in case there is any misuse of the concession or non-appearance on the part of petitioner(s), State of Haryana shall be at liberty to move appropriate application for recalling of the order.”

2. Learned counsel for the petitioner contends that in compliance of interim order dated 08.11.2023, 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 08.11.2023 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 08.11.2023 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