
(2024) 01 SHI CK 0070

High Court Of Himachal Pradesh

Case No: Criminal Miscellaneous Petition (Main) No. 160 Of 2024

Amandeep Singh

APPELLANT

Vs

State Of H.P

RESPONDENT

Date of Decision: Jan. 24, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 302
- Arms Act, 1959 - Section 27, 54, 59

Hon'ble Judges: Bipin Chander Negi, J

Bench: Single Bench

Advocate: Shikha, B.C.Verma, Rajan Kahol

Final Decision: Disposed Of

Judgement

Bipin Chander Negi, J

1. Prayer in the present petition has been made for release of the petitioner on interim bail for a period of ten days in order to enable him to attend the wedding of his brother.
2. The petitioner has been arrested in FIR No. 150/2022 dated 27.10.2022, registered under Sections 302 and 34 of Indian Penal Code and Section 27, 54 and 59 of the Arms Act, at Police Station Manpura, District Baddi, H.P.
3. The grounds urged for interim bail are that his brother is getting married and in the marriage ceremony of his brother, the petitioner has to perform many customary rituals. Besides the aforesaid, it has been stated that the present petitioner is 24 years old and during the marriage of his brother he would help the family in making arrangements for the marriage. Alongwith the petition, the wedding card has been appended. A perusal of the same reflects that the marriage functions shall commence from 04.02.2024 and end on 7.02.2024.

4. Keeping in view the aforesaid facts and attending circumstances, I am inclined to grant interim bail to the petitioner for a period of seven days commencing from 03.02.2024 and ending on 08.02.2024 by 4:00 P.M. The petition, therefore, is allowed and the petitioner is ordered to be released on interim bail in the above mentioned FIR for a period of one week, subject to his furnishing personal bond in the sum of Rs. 2,00,000/-with one local surety in the like amount to the satisfaction of the learned trial Court or any Sessions Judge/Additional Sessions Judge having jurisdiction over the concerned Police Station. Petitioner shall surrender before the concerned jail authorities on or before 08.02.2024 by 4.00 P.M. The bail is being granted subject to the following conditions:-

(i) Petitioner shall not tamper with the evidence or hamper the investigation in any manner whatsoever;

(ii) Petitioner shall not make any inducement, threat or promise, directly or indirectly, to the Investigating Officer or any person acquainted with the facts of the case to dissuade him/her from disclosing such facts to the Court or any Police Officer;

(iii). Petitioner will not leave India.

(iv). Petitioner shall inform the Station House Officer of the concerned police station about his place of residence during bail. Any change in the same shall also be communicated promptly. Petitioner shall furnish details of his Aadhar Card, Telephone Number, Mobile number, E-mail address, PAN Card, Bank Account Number, if any, to the Station House Officer.

(v) Petitioner shall report at Police Station Manpura, District Baddi, every alternate day at 11:00 A.M. during the interim bail period.

(vi) Petitioner shall surrender himself before the concerned jail authorities after completion of seven days interim bail and under no circumstances later than 8.2.2024 by 4.00 P.M.

5. It is clarified that the interim bail is being granted in the projected facts of the case and will have no bearing on the merits of the matter.

6. The petition stands disposed of in the above terms, so also the pending miscellaneous applications, if any.

7. A copy of this order be sent to the Superintendent, Model Central Jail, Kanda, District-Shimla, H.P.

8. The parties shall not insist upon for obtaining certified copy of this order and shall download the same from the website of the High Court. However, the Registry is directed to send copy of this order to learned counsel for the parties through email subject to furnishing email addresses by them, if so required.