ITEM NO.13 COURT NO.9 SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6239/2009

(From the judgement and order dated 27/07/2009 in CRLM No. M-16383/2009 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

MAINPAL Petitioner(s)

VERSUS

STATE OF HARYANA Respondent(s)

(With appln(s) for permission to place addl. documents on record and ex-Parte stay and exemption from filing O.T.)

Date: 07/09/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Sunder Khatri, Adv.
Mr. L.S. Sharma, Adv.
Mr.Rajesh Goyal,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the petitioner.

We see no reason to grant anticipatory bail to the petitioner. Accordingly, the special leave petition is dismissed.

However, the petitioner may apply for regular bail before the Court concerned. We have made it clear on a number of occasions that the power to grant regular bail includes the power to grant interim bail pending final disposal of the regular bail application. This power is

inherent in the power to grant bail, particularly in view of Article 21 of the Constitution of India. Hence, if the present petitioner applies for regular bail before the Court concerned, he may also file an application for interim bail, which application shall be decided on the same day on which it is filed, pending final disposal of the regular bail application.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master