

HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

STANDING ORDERS FOR LISTING OF BAILS

Pursuant to the observations made by the Hon'ble Supreme Court of India in judgement dated 15.05.2023 passed in Criminal Appeal No. 1503 of 2023 arising out of SLP(Crl) No. 3241 of 2023 titled as "Pradhani Jani V/s The State of Odisha"; judgement dated 12.12.2023 passed in SLP(Crl) No. 15585 of 2023 titled as "Rajpal V/s State of Rajasthan" and judgement dated 19.01.2024 passed in Criminal Appeal No. 303 of 2024 titled as "Kusha Duruka V/s The State of Odisha" arising out of SLP(Criminal) No. 12301 of 2023, Hon'ble High Court of Punjab & Haryana has been pleased to issue the following instructions:

1. All the Bail matters arising out of same FIR/Complaint shall be listed as per roster before one Hon'ble Bench, except:
 - (i) The Subsequent Bail Application(s) filed under section 102 of Juvenile Justice (Care and Protection of Children) Act, 2015 filed in the form of Criminal Revision(s), under section 14A(2) of Scheduled Caste & Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended by the Amendment Act, 2015 and under section 21 of the National Investigation Agency Act filed in the form of Criminal Appeal(s) and the Subsequent Bail Application(s) under section 438 & 439 Cr.P.C. as well as Application(s) for Interim Bail(s) shall be listed before the same Hon'ble Bench, who had earlier decided (on merit or disposed of/ dismissed as withdrawn for non-prosecution/not pressed) any of the bail application arising out of the same FIR/Complaint, irrespective of the subject matter assigned to the said Hon'ble Bench.
 - (ii) Subsequent Application(s) for Suspension of Sentence under section 389 Cr.P.C. shall also be listed before the same Hon'ble Bench, who had earlier decided (on merit or disposed of/ dismissed as withdrawn for non-prosecution/not pressed) any of the bail application arising out of the same FIR/Complaint, irrespective of the subject matter assigned to the said Hon'ble Bench.

(iii) Application(s) for Cancellation of Bail under section 439 (2) Cr.P.C. shall be listed before the same Hon'ble Bench, who had earlier decided (on merit or disposed of/ dismissed as withdrawn for non-prosecution/not pressed) any of the bail application arising out of the same FIR/Complaint, irrespective of the subject matter assigned to the said Hon'ble Bench.

In the event the said Hon'ble Bench is not available on account of transfer or superannuation or recusal etc., the said Subsequent Bail Application(s) shall be listed as per roster before available Hon'ble Bench.

All the Subsequent Bail Application(s) as well as Subsequent Application(s) for Suspension of Sentence filed by the same accused or Application(s) for Cancellation of Bail listed before the same Hon'ble Bench in view of the aforesaid directions will deemed to be listed as per roster.

2. In case any Subsequent Bail(s) in a particular FIR/Complaint is pending before any Hon'ble Bench sitting/not sitting in roster, then all the other matters arising out of the same FIR/Complaint shall also be listed before the same Hon'ble Bench where Subsequent Bail Application(s) is pending being the lead case, till the pendency of the said Subsequent Bail(s).

BY ORDER OF HON'BLE THE ACTING CHIEF JUSTICE.

Sd/-
(Ramesh Chander Dimri)
Registrar General
01.03.2024