

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

**CRL. MISC. No.M-24068 OF 2017 (O&M)**  
**DATE OF DECISION : 10<sup>th</sup> JULY, 2017**

**Manjit Singh @ Banti**

**.... Petitioner**

**Versus**

**State of Haryana**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI**

\* \* \* \*

Present : Mr. D. S. Virk, Advocate for the petitioner.

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**A. B. CHAUDHARI, J. (ORAL)**

Notice of motion.

Ms. Tanushree Gupta, DAG, Haryana accepts notice on behalf of the State of Haryana.

Rule.

Heard forthwith with consent of counsel for the rival parties.

The impugned in the present petition is order dated 06.04.2017 (Annexure P- 2) passed by learned ASJ, Sirsa, whereby the application for exemption filed by the petitioner was dismissed and non-bailable warrants were issued against him.

Admittedly, the petitioner was on bail during the trial. Though in offence under Section 392 IPC, when the witnesses were brought before the Court, the petitioner applied for grant of personal exemption, thus the Court found that in the absence of any medical record, the prayer for exemption could not be granted and the witnesses were required to be sent back.

In that view of the matter, I do not find any fault with the impugned order. However, I find that the liberty of the petitioner need not be curtailed since he was granted regular bail by the Court earlier.

The counsel for the petitioner makes a statement that the petitioner would appear before the trial Court with promptitude. Since the witnesses were sent back for the absence of the petitioner, in my opinion, the State can be compensated by asking the petitioner to pay a cost of ₹5,000/-.

Thus, without finding any fault with the order of the trial Court, I make the following order:

**ORDER**

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-24068 OF 2017 is allowed.
- (iii) The impugned order dated 06.04.2017 (Annexure P- 2) is set aside.
- (iv) The petitioner is granted anticipatory bail in the present FIR on the bail bonds earlier submitted by him, subject to deposit of ₹5,000/- with the trial Court within one week from today as a pre-condition.
- (v) The petitioner shall continue to appear before the trial Court with promptitude till the completion of trial.
- (vi) Any further failure on the part of the petitioner shall result into taking him in custody by the trial Court.

Disposed of accordingly.

**10<sup>th</sup> JULY, 2017**  
*'raj'*

**(A. B. CHAUDHARI)**  
**JUDGE**

*Whether speaking/reasoned:*                      *Yes*                      *No*

*Whether Reportable:*                                      *Yes*                      *No*