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

CRM-M-29063 of 2017

Date of decision: August 09, 2017

Naresh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Udeyveer Singh Rana, Advocate for the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

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

Rule. Heard forthwith with the consent of learned counsel
for the rival parties.

It is not in dispute that the petitioner was on bail in FIR
No.466 dated 01.04.2014, under Sections 409, 420, 467, 468, 471, 34
of Indian Penal Code, 1860 and Sections 7, 13 of Prevention of
Corruption Act, 1988, registered at Police Station Panipat City,
Panipat. When the trial proceeded, the petitioner remained absent
before the trial Court and as such, obviously, caused obstruction to the
conduct of the trial. The trial Court, therefore, cancelled his bail bonds
and issued non-bailable warrants for his appearance by rejecting his
application for exemption from personal appearance on the ground that
his sister is ill in Mumbai. In my opinion, without finding any fault

with the impugned order of the trial Court, the petitioner should be allowed to be at liberty since the case is pending since 2014 and there is no point in pushing him in jail for facing the trial, particularly when three years have already passed. However, since the petitioner has caused inconvenience to the Court, he have to pay costs in the sum of ₹5,000/- (non-refundable) payable to the State of Haryana by depositing the same with the trial Court, as a pre-condition for being at large.

In that view of the matter, the impugned order 17.07.2017 is quashed. The petitioner shall be released on bail upon furnishing fresh bail bonds, subject to paying costs in the sum of ₹5,000/- (non-refundable) payable to the State of Haryana by depositing the same with the trial Court, as a pre-condition for being at large.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

August 09, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No