

CRM-M-33528-2016

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

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Date of Decision: 09.02.2017

Sachidanand Jha @ Akhlesh Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Babbar, Advocate,
for the petitioner.

Mr. Kuldeep Sharma, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Sachidanand Jha @ Akhlesh Sharma has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.42 dated 12.03.2015, registered at Police Station Ding, District Sirsa, under Sections 420, 406, 468 and 471 of the Indian Penal Code and Section 66 of the Information Technology Act.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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From the record, I find that in the impugned order dated 07.09.2016, learned Additional Sessions Judge, Sirsa has discussed the conduct of the present petitioner. It is stated in the order dated 07.09.2016 that the present petitioner is in the habit to remain absent absent from the court. After presentation of the challan, the case was adjourned to 15.10.2015. On that day, the petitioner did not appear and his personal appearance was exempted. Thereafter, the accused-petitioner did not appear in the court on 18.04.2016 and his bail was cancelled and bail bonds were forfeited to the State. The accused-petitioner surrendered before the court on 25.05.2016 and he was released on bail. When the case was fixed for arguments on charge, the accused-petitioner did not appear and his personal appearance was exempted and the case was adjourned to 29.07.2016. On that day also, the accused-petitioner did not appear and his personal appearance was exempted and the case was adjourned to 19.08.2016. On 19.08.2016, the accused-petitioner did not appear and exemption of his personal appearance was sought by moving an application, but that application was dismissed by the trial Court. Bail of the accused-petitioner was cancelled and bail bonds were forfeited to the State and he was ordered to be summoned through warrant of arrest for 14.09.2016.

Perusal of the order dated 07.09.2016 shows that the petitioner lastly absented from the court proceedings on 19.08.2016. Perusal of the record shows that the petitioner is not taking the

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proceedings before the court seriously and not appearing before the Court and either remains absent from the court or moves application for exemption from personal appearance.

Keeping in view such conduct of the petitioner, no ground is made out to grant him the benefit of anticipatory bail. Therefore, finding no merit in the present petition, the same is dismissed.

09.02.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No