

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

CRM-M-16902-2018

Date of decision: 04.05.2018

Nafe Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 21 dated 22.02.2017 under Sections 34, 354(C), 365, 376, 452 & 506 IPC, registered at Women Police Station Palwal, District Palwal.

Learned counsel for the petitioner herein would contend that in fact the the petitioner was already on bail and was continuously appearing in the said matter. In fact, he was under misapprehension that 30.03.2018 was Good Friday and same would be a holiday and it is on this account that he could not appear in the Court and the impugned order came to be passed whereby his bail has been cancelled and bonds were forfeited to the State. It is argued that the statement of the petitioner also stands recorded under Section 313 Cr.P.C. on 24.01.2018 and he is pursuing his case actively. As he has moved application under Section 311 Cr.P.C. for recalling witnesses,

in this regard revision petition bearing No. 1194 of 2018 is pending in this Court.

I have heard learned counsel for the petitioner and in view of the fact that the petitioner herein is actively pursuing his matter and is appearing in the High Court, there would be no justification to disturb his bail bonds.

Consequently, arrest of the petitioner is stayed for a period of five days and he is directed to appear before the trial Court and furnish bail bonds and on doing so the trial Court shall release him on bail subject to its satisfaction. However, it is made clear that in case the petitioner does not appear before the trial Court within the stipulated period of five days any interim protection granted today shall stand automatically vacated.

Petition stands disposed of accordingly.

04.05.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.