

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-18060 of 2018 (O&M)
Date of decision : 02.05.2018

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Gaurav Sethi, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J.(Oral)

The petitioner has preferred the instant petition under Section 438 Cr. for grant of anticipatory bail in case FIR No.85 dated 21.03.2016, registered under Sections 147, 149, 395, 447, 448, 456, 457, 120-B IPC at Police Station Ambala Cantt.

Notice of motion.

Mr. Ashok Muthreja, DAG, Haryana, who is present in Court, has accepted notice on behalf of respondent-State. Complete copy of the paper book has been supplied to him.

Service is complete.

It is a case of the petitioner that his counsel has given a wrong date, therefore, he could not appear on the date fixed.

Learned counsel for the petitioner submits that earlier the petitioner was on bail and the charge had been framed on 11.11.2016 but the trial could not be concluded upto 16.04.2018 and on that he could not appear. Consequently, the bail granted to him was cancelled and his bail

bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants of arrest.

On the other hand, learned State counsel opposed the instant petition.

It seems that the learned trial Court acted undue haste while cancelling the bail bonds of the petitioner. It should give an opportunity to the petitioner to appear.

Keeping in view the facts and circumstances of the case, the instant petition stands allowed. The petitioner is directed to surrender before the learned trial Court and on doing so, he shall be released on bail by that Court to its satisfaction, subject to the conditions as imposed by that Court if any.

02.05.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No