

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

CRM-M-29462-2018

Date of decision: 16.07.2018

Rupender alias Bablu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Yogesh Goel, 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. 82 dated 05.08.2016 under Sections 343, 366, 376, 506 IPC, registered at Women Police Station, Jhajjar, District Jhajjar.

Learned counsel for the petitioner contends that in fact regular bail had been allowed to the petitioner herein subject to furnishing bail bonds in the sum of ₹ 1,00,000/- with one surety in the like amount by an order dated 27.09.2016. Thereafter, he was convicted to undergo six months imprisonment in FIR No. 22 dated 21.01.2009 under Sections 420, 467, 468, 471 IPC, registered at Police Station Model Town Rewari. He was in custody from 14.12.2017 to 21.04.2018 and during the interregnum period the matter was taken up in FIR No. 82 dated 05.08.2016 under Sections 343, 366, 376, 506 IPC, registered at Women Police Station, Jhajjar, District Jhajjar by Addl. Sessions Judge, Jhajjar, who directed the bail bonds of the

petitioner herein to be cancelled.

Learned counsel for the petitioner contends that it was only on account of the fact that the petitioner was incarcerated and was unable to appear before the Court and he could not appear before the Court on 09.03.2018 and 11.04.2018. Learned counsel for the petitioner contends that he may be given an opportunity to put in appearance and face trial.

Notice of motion.

On asking of the Court Mr. P.P. Chahar, learned AAG, Haryana accepts notice.

I have heard learned counsel for the parties and taking note of the fact that he was in custody on the date the impugned order was passed, the arrest of the petitioner is stayed for a week from today and the petitioner 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 one week any interim protection granted today shall stand automatically vacated.

The petition stands disposed of.

A copy of this order be given to learned counsel for the petitioner under the signatures of the Bench Secretary.

16.07.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.