

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-53875 of 2018 (O&M)
Date of decision : December 13, 2018

Manish

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Sandeep Lathar, Advocate, for the petitioner
Mr. Gaurav Bansal, AAG, Haryana for the State

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Manish in this first regular bail application under Section 439 Cr.P.C. are that a case by way of FIR No. 107 dated 3.6.2018 under Sections 342, 376, 354-C, 354-D, 506 IPC and Section 67 of the Information Technology (Amendment) Act, 2008, Police Station Women, Jind was got registered against the petitioner in which he was allowed anticipatory bail by this Court vide orders dated 11.10.2018. The only allegations against the petitioner are that subsequent on 16.11.2018, the petitioner could not appear before the court concerned on account of exigency/circumstance and as a consequence of which his bail orders were cancelled and bail bonds were forfeited to the State and was

sent behind the bars on 26.11.2018.

Mr. Sandeep Lathar, counsel for the petitioner contends that it is only single day default on account of reasons beyond his control that the petitioner could not put in appearance and is behind bars since then.

The factual scenario is not displaced by the learned State counsel while fully conceding to this fact.

Appreciating the submissions of the two sides, since the petitioner was allowed anticipatory bail by this Court and on account of single day default he has been sent behind the bars, no purpose will be served by retaining the petitioner in jail. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Jind.

The present petition stands disposed off accordingly.

December 13, 2018

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No