

CRM-M-9593 of 2017

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

CRM-M-9593 of 2017
Date of Decision: 21.11.2018

Ajay Kumar Sandhu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. R.S. Tacoria, Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing impugned order dated 01.09.2016 (Annexure P-4) of the learned Judicial Magistrate Ist Class, Kurukshetra, whereby bail and surety bonds of the petitioner have been cancelled and forfeited to the State and non-bailable warrants have been issued against him in case FIR No.647 dated 20.12.2011 registered under Sections 406 and 420 IPC at Police Station Thanesar City, District Kurukshetra.

Learned counsel for the petitioner, referring to order dated 12.10.2018 of the Hon'ble Apex Court in Transfer Petition (Criminal) No.494/2018 titled as "Sapna Arora v. The State of Punjab", contends that petitioner had earlier filed CRM-M-708 of 2012 for quashing aforesaid FIR, wherein vide order dated 20.09.2012 (Annexure P-3) further proceedings before the trial Court were stayed by this Court. Therefore, petitioner was not required to appear before the trial Court on each and every date till

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non-appearance of the petitioner on 01.09.2016, the trial Court cancelling the bail and surety bonds of the petitioner, illegally and wrongly issued non-bailable warrants against him.

Heard.

In view of the dictum of the Hon'ble Apex Court rendered in above referred judgment, the petitioner was not required to appear on each and every date before the trial Court, till decision of the aforesaid CRM-M-708 of 2012. Therefore, impugned order dated 01.09.2016 (Annexure P-4) of the trial Court, cancelling the bail and surety bonds of the petitioner for his non-appearance, is set aside. Consequently, bail and surety bonds furnished by the petitioner shall remain in force. Trial Court is directed to restore the same and adjourn the case *sine die* till decision of the aforesaid CRM-M-708 of 2012.

Disposed of.

November 21, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No