

CRM-M- 55887-2018 (O&M)

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

CRM-M- 55887-2018 (O&M)

Date of Decision: December 18, 2018

Naveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. PPS Duggal, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.62 dated 28.03.2017, under Sections 363, 366-A of Indian Penal Code and Section 6 of the POCSO Act, registered at Police Station Alewa, District Jind as the petitioner could not appear in the trial Court on 08.12.2018 due to Typhoid and thereby his application seeking exemption to appear also got dismissed.

Learned counsel for the petitioner contends that on account of suffering from Typhoid, the petitioner was not able to appear before the trial Court on 08.12.2018 and thereby his application seeking exemption to appear on 08.12.2018 due to medical reasons stands dismissed and bailable bonds and surety bonds have been canceled.

Notice of motion.

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On asking, Mr. P.P. Chahar, DAG, Haryana, who is present in the Court accepts notice on behalf of the respondent-State and submits that in case the petitioner put in an appearance on the next date i.e. 04.01.2019 positively, he would have no objection if the said order is set aside.

I have heard learned counsel for the parties and in view of the statement made by the learned counsel for the petitioner that he had been appearing on all earlier dates after the regular bail had been allowed to him vide order dated 21.03.2018 and that he was suffering from Typhoid and that his application has been wrongly rejected, the impugned order should be set aside.

In view of the above facts and that the petitioner undertakes to put in an appearance in the trial Court on the date so fixed, the impugned order is set aside and he is directed to appear before the trial on the date fixed and on his doing so, he shall be admitted to bail subject to his furnishing fresh bail bonds and surety bonds to the satisfaction of the trial Court.

Petition stands disposed of.

December 18, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No