

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

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CRM-M No.19840 of 2020
DATE OF DECISION : 22nd JULY, 2020

Pardeep @ Raman

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Sanchit Punia, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of order dated 08.07.2020 (Annexure P-3) passed by Additional Chief Judicial Magistrate, Hisar; in case FIR No.635 dated 14.12.2019 registered under Sections 419, 420, 170, 171, 406, 467, 468, 471, 120-B & 34 IPC and Section 25 of the Arms Act, at Police Station Hisar Sadar, District Hisar, whereby the bail granted to the petitioner has been cancelled and warrant of arrest has been issued.

Referring to the pleadings in the petition, the counsel for the petitioner has submitted that after this Court had granted bail to the petitioner he had appeared before the trial Court/Magistrate, to furnish sureties. The Court ordered for two sureties in the sum of ₹1,00,000/- each. However, when the petitioner had appeared, he had only one surety. The trial court had been kind enough to accept one surety as an

interim measure and to release the petitioner on bail, with a further direction that the petitioner would bring the additional surety on the next date of hearing. This order was passed by the trial court on an undertaking by the petitioner that he would produce the additional surety on next date. On the next date of hearing, i.e., on 21.07.2020, although additional surety was produced by the counsel for the petitioner, however, the surety could not be accepted by Court because of some defect in the deeds produced. Hence, the impugned order has been passed, whereby the bail granted to the petitioner has been cancelled and warrants of arrest have been issued against him.

It is further submitted by counsel for the petitioner that the petitioner would produce the surety as per the order of the trial court, within a period of one week from today. The surety so produced by the petitioner would be perfect in all respects and would be sufficient to meet the requirement of the order passed by the trial court. Therefore, the petitioner be granted one opportunity to furnish surety and the petitioner be protected against his arrest.

Notice of motion.

Mr. Rajiv Goel, DAG, Haryana, accepts notice on behalf of the State.

It is contended by the counsel for the State that sufficient time was granted by the trial Court to produce the additional sureties as per the undertaking furnished by the petitioner. But he had failed. However, the counsel for the State has not objected if the petitioner appears before the trial court with the additional surety to comply with the earlier order passed by the trial Court.

In view of the above, the present petition is disposed of and the petitioner is granted more time of one week; starting from today, to produce the requisite surety before the trial court/Magistrate, as per the order passed by the trial court. It is further ordered that the warrant of arrest issued against the petitioner shall remain in abeyance for the period of above said one week. If the petitioner produces the surety before the trial Court/Magistrate, as per the undertaking given by him, then the warrant of arrest issued against him shall stand quashed. Otherwise the warrant issued by the trial court would become operative.

22nd JULY, 2020
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>