

201

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21027 of 2020

Date of Decision: 01.09.2020

SUKRAM PAL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.194 dated 04.04.2018 registered under Section 174-A IPC at Police Station Civil Lines, Hisar.

On 30.07.2020, following order was passed by this Court:-

"The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the complaint under Section 138 of the Negotiable Instruments Act was allowed to be dismissed as withdrawn at the instance of the complainant vide order dated 09.04.2018. Petitioner was declared as proclaimed person in the said case for which FIR

No.194 dated 04.04.2018 under Section 174-A IPC was registered. Petitioner appeared before the trial Court and was granted bail and thereafter, he kept on appearing before the trial Court. Vide order dated 25.05.2018 passed by the Judicial Magistrate 1st Class, Hisar, personal appearance of the petitioner was exempted for that day subject to payment of cost(s). The case was adjourned to 31.07.2018 for arguments on charge. The case was ultimately taken up on 10.09.2018. Personal appearance of the petitioner was exempted for a day, but the application for withdrawal of the surety bonds was filed by the surety namely Chabil Dass as he did not want to stand as surety for the accused petitioner. The statement of surety was recorded. The surety bonds were cancelled. Chabil Dass assurety was discharged. Thereafter, notice was issued to the petitioner for 18.09.2018. On the adjourned date, service of notice could not be effected on the petitioner and the bail of the petitioner was cancelled. Learned counsel further contends that the petitioner intends to join the stream by way of appearing before the trial Court and seeks indulgence for some protection as the main case under Section 138 of the Negotiable Instruments Act has already been withdrawn.

Notice of motion for 01.09.2020.

In the meanwhile, petitioner is directed to appear before the concerned trial Court/Duty Magistrate on 06.08.2020. In the event of his appearance, he shall be granted interim bail subject to the satisfaction of the concerned trial Court/Duty Magistrate.”

Learned counsel for the petitioner submitted that the petitioner has already appeared before the concerned Duty Magistrate on 06.08.2020.

The aforesaid fact has not been disputed by learned State counsel on instructions from ASI Satpal Singh.

In view of aforesaid factual position, the interim order dated 30.07.2020 is made absolute. Petitioner shall keep on appearing before the trial Court on each and every date of hearing.

Petition stands disposed of.

September 01, 2020
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No