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

**CRM-M No.4520 of 2021
Date of Decision: 12.03.2021**

HARPREET SINGH AND ANOTHER

.....Petitioners

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Naresh Kumar Ganga, Advocate
for the petitioners.

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

Mr. Tarun Seth, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

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

Learned counsel for the petitioners submitted that the petitioners were summoned in a private complaint under Section 494/34 IPC. Petitioners surrendered before the trial Court and were granted bail by the Court subject to their furnishing bail bonds and surety bonds in the sum of Rs.10,000/- each with one surety in the like amount. The case was adjourned for pre-charge evidence of the complainant.

Learned counsel further submitted that in due course, the case was fixed for 02.01.2020 i.e. date which was declared as holiday. The case was taken up by the trial Court on 21.12.2019 and was adjourned to 29.01.2020 in the absence of the parties. On 29.01.2020, learned counsel for the complainant appeared, but none appeared on behalf of the petitioners. Bail of the petitioners was cancelled and bail bonds and surety bonds were forfeited to the State. Non-bailable warrants were issued against the petitioners and notices were also issued to their sureties and identifiers.

Learned counsel further submitted that thereafter due to the situation arising out of COVID-19 pandemic, the petitioners could not appear before the trial Court, nor could they secure any protection from the Court. The anticipatory bail has been declined to the petitioners in view of their non-appearance before the trial Court on 29.01.2020 and also on issuance of arrest warrants against them for 27.02.2020.

There is some omission on behalf of the petitioners in not noticing the date on 21.12.2019 as well as 29.01.2020, but cancellation of bail on 29.01.2020 itself is also not sustainable.

Be that as it may, the petitioners deserves to be granted one more opportunity to appear before the trial Court on 18.03.2021. In the event of appearance of the petitioners before

the trial Court, they shall be admitted to regular bail on furnishing fresh adequate bail bonds and surety bonds subject to the satisfaction of the trial Court.

With the aforesaid direction, the petition stands disposed of.

March 12, 2021
Atik

(RAJ MOHAN SINGH)
JUDGE

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