

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

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CRM-M-17485-2021.

Date of Decision: 27.04.2021.

Bhupinder Singh

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Prashant Vashisth, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 438 Cr.P.C. has been moved by petitioner for grant of pre-arrest bail in case FIR No.361 dated 14.12.2017 under Sections 120-B, 201, 379-B and 411 IPC, registered at Police Station Pinjore, District Panchkula.

Learned counsel for the petitioner *inter alia* contends that in the instant case FIR, the petitioner was admitted to bail on 04.06.2018 and he used to appear before Trial Court on each and every date of hearing. He further submits that on 08.03.2021, petitioner could not appear in Court and after cancellation of bail bonds, his appearance has been sought through warrant of arrest returnable for 01.04.2021. He further submits on account of single default made at the instance of petitioner, he cannot be made to suffer.

Notice of motion.

At the asking of Court, Mr. Vikrant Pamboo, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to him.

Learned State counsel submits that prior to 08.03.2021 petitioner had moved an application seeking exemption from personal appearance and it appears that his personal appearance was exempted but he was required to appear in Court on 08.03.2021 and failing which above said course has been adopted by Trial Court.

In view of above, it appears that it is a case of single default as personal appearance of petitioner/accused was exempted by the Court in view of application moved at his instance. Since petitioner is availing concession of bail for the last about quarter to three years, thus, in view of single default, he cannot be made to suffer.

As a sequel to above, instant petition is disposed of in the manner that petitioner is directed to surrender before the Trial Court/ Duty Sessions Judge, Panchkula, as the case may be, within seven days positively from today and on surrender, he shall be admitted to bail afresh to the satisfaction of Trial Court/ Duty Sessions Judge, Panchkula, as the case may be.

Meanwhile, no coercive steps shall be taken against the petitioner in pursuant to warrant of arrest already issued against him.

(LALIT BATRA)
JUDGE

27.04.2021

JITENDER
2021.04.27 19:06 *jitender*
I attest to the accuracy and
integrity of this document

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