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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.32694 of 2021 (O&M)

Date of decision: 13.08.2021

Mohit

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the order dated 15.03.2021 passed by the Additional Sessions Judge, Gurugram, vide which the bail of the petitioner has been cancelled and non-bailable warrants were issued in FIR No.13 dated 10.01.2020 registered under Sections 147, 148, 149, 302, 323 IPC at Police Station Badshahpur, District Gurugram.

Counsel for the petitioner has argued that after registration of the case, the petitioner was granted the concession of regular bail vide order dated 06.01.2021 by the Additional Sessions Judge, Gurugram, by passing a detailed order, considering the merits of the case. It is further submitted that later on, the petitioner could not appear before the next date of hearing i.e. 15.03.2021 and his bail bonds were cancelled and non-bailable warrants have been issued against him. It is also submitted that the petitioner is ready to appear before the trial Court and face the proceedings, in accordance with law.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the State has not disputed the factual position that vide order dated 06.01.2021, the petitioner was granted the concession of regular bail, considering the fact that the name of the petitioner figured in the disclosure statement suffered by the co-accused, who has committed the offence of causing murder of one Rahul.

In view of the above, this petition is allowed, the order dated 15.03.2021 passed by the Additional Sessions Judge, Gurugram, is set-aside and the petitioner is granted 15 days time to appear before the trial Court and furnish the fresh bail/surety bonds.

This will, however, be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab & Haryana High Court Advocates Welfare Fund.

The petitioner will produce the receipt of the payment before the trial Court, while furnishing the fresh bail/surety bonds.

(ARVIND SINGH SANGWAN)
JUDGE

13.08.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No