

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

CRM-M-34190-2021

DECIDED ON: 23rd AUGUST, 2021

JAGDISH HOODA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Shivansh Malik, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This petition under Section 438 Cr.P.C. is filed for anticipatory bail in FIR No. 309, dated 5th June, 2017, under Sections 306 read with 34 IPC, registered at Police Station City, Bahadurgarh, Jhajjar.

[3] The petitioner was granted regular bail by Additional Sessions Judge, Jhajjar vide order dated 8th March, 2018. The petitioner was absented from the Court on 26th July, 2021 and warrants of arrest were issued. Notice to the surety was also issued.

[4] Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court as there was communication gap between the petitioner and his counsel. In order to show his bonafides, the petitioner is ready to deposit cash security of ₹1,00,000/- with the trial

[5] Learned State counsel appearing on advance notice, opposes the prayer made.

[6] The petitioner was granted bail by the Court concerned in 2018 and petitioner has been regularly appearing, thereafter, he jumped the bail on one occasion.

[7] The machinery provisions provided in the Code of Criminal Procedure are to ensure the presence of the accused as and when required during the trial. The idea behind is that there should be speedy conclusion of the trial. The offer made by the petitioner, if accepted, ensures the presence of the accused during the trial.

[8] Considering the facts in totality and offer made by the petitioner, the petitioner is granted anticipatory bail subject to his depositing ₹1,00,000/-, in cash, before the trial Court within seven days from today. The amount deposited would be subject to outcome of the trial. The amount will be kept in an FDR of a nationalized bank. In case, the petitioner fails to appear before the trial Court as and when called for, the amount deposited shall be forfeited.

[9] The petition is disposed of.

23rd AUGUST, 2021
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>