

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

**107**

**CRM-M-53128-2021  
Date of Decision: 20.12.2021**

**Naresh Yadav and another**

....Petitioners

Versus

**State of Haryana**

....Respondent

**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr. Akshay Jindal, Advocate for petitioners.

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**Lalit Batra, J.(Oral)**

This petition under Section 438 Cr.P.C. has been moved by petitioners-**Naresh Yadav** and **Vikas Yadav** for grant of pre-arrest bail in case FIR No.32 dated 31.01.2012 under Sections 272, 273, 420, 467, 468 and 471 IPC, Sections 63 and 65 of Copy Right Act, 1957 (Amendment Acts 1984 and 1994) registered at Police Station Badsahpur, District Gurugram.

Learned counsel for the petitioner *inter alia* contends that petitioners were admitted to bail in the instant case FIR and they used to appear before Trial Court on each date of hearing, in case titled “State Versus Mansoor Ali and others”, CIS No.CHI25005-2013 and CNR No.HRGR030020872012. He further urges that on 08.03.2021, on account of death in their relation, petitioners could not appear before Trial Court and moved application seeking exemption from appearance in the Court but that

request was declined and then after cancellation of bail, their bail bonds and surety bonds were forfeited and appearance of petitioners was ordered to be secured through warrants of arrest returnable for 03.06.2021. He further submits that case before Trial Court is fixed for today for the said purpose. He further urges that since non-appearance of petitioners in the Trial Court was on account of death in their relation, for the said reason alone, they could not appear in the Court on 08.03.2021. He further urges that petitioners are ready to surrender before the Trial Court and they want to join the proceedings of the case, thus, appropriate relief may be granted to them.

Notice of motion.

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

A bare perusal of record of the case reveals that though petitioners used to appear before Trial Court on each date of hearing but on account of their single default and that too on account of bonafide shown at their instance, they cannot be made to suffer.

In view of above, instant petition for grant of pre-arrest bail to the petitioners is disposed of in the manner that petitioners/accused-**Naresh Yadav** and **Vikas Yadav** are directed to surrender before the Trial Court/ Duty Sessions Judge, Gurugram, as the case may be, on or before 24.12.2021 and on surrender, they shall be enlarged on bail on their furnishing personal bonds and surety bonds to the satisfaction of Court

Meanwhile, no coercive steps shall be taken against the petitioners pursuant to warrants of arrest already issued against them.

(LALIT BATRA)  
JUDGE

20.12.2021  
*Varinder Prashad*

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