

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(126)

CRM-M-615-2022

Date of Decision : January 10, 2022

Arvind and another

.. Petitioners

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Raman Chawla, Advocate, for the petitioners.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed for quashing of the order dated 23.11.2021 (Annexure P-7) by which, the bail bonds as well as surety bonds of the petitioners have been cancelled and forfeited after cancellation of the bail granted to the petitioners and non-bailable warrants have been issued to secure the custody of the petitioners.

Learned counsel for the petitioners submits that the petitioners have been attending the proceedings without any fail after they were granted the concession of bail but as they were to attend a marriage ceremony, which was to be solemnized on 22/23.11.2021, the application seeking exemption from attending the proceedings on 23.11.2021 was filed.

Learned counsel for the petitioners further submits that the trial Court did

not accept the prayer of the petitioners for the grant of exemption to attend the marriage and has passed the impugned order.

Notice of motion.

Mr. Gaurav Bansal, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that no infirmity has been pointed out by the learned counsel for the petitioners and therefore, the prayer of the petitioners, as raised in the present petition, may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

No doubt, once the petitioners have been granted the concession of regular bail, they are to comply with the conditions of the said bail. The petitioners should have applied for the grant of exemption from attending the proceedings on 23.11.2021 at a prior given point of time, rather than filing the application on the date fixed.

Be that as it may, as learned counsel for the petitioners has undertaken before this Court that henceforth the petitioners will attend all the hearings fixed before the trial Court and will not absent themselves in any manner and in case they need exemption, an application will be moved prior in time, giving a one time concession, the prayer of the petitioners is accepted and the order dated 23.11.2021 is quashed keeping in view the above said undertaking of the petitioners.

The petitioners are directed to appear before the trial Court on the date already fixed i.e. 12.01.2022 and in case, the petitioners surrender before the trial Court, petitioners be released on bail and the bail bonds and the sureties already presented by the petitioners, may be allowed to continue.

January 10, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? : Yes
Whether reportable? : Yes