

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

**CRM-M-2421-2022
Date of decision: 24.01.2022**

Bhanwar Singh

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manish Soni, Advocate
for the petitioner.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for setting aside the order dated 13.12.2021 (Annexure P-7), vide which, the bail/surety bonds of the petitioner have been cancelled and non-bailable warrants have been issued against him on account of his non-appearance before the trial Court.

Learned counsel for the petitioner submits that petitioner is facing trial and was regularly appearing before the trial Court, however, on 13.12.2021, he could not appear as his old aged mother, who is suffering from kidney problems, was not well.

Learned counsel further submits that even on the said date, another accused Mohit was also not present and his bail/surety bonds have also been cancelled.

Notice of motion.

Mr. Deepak Kumar Grewal, DAG, Haryana, who is also appearing through video conferencing, accepts notice on behalf of the

respondent-State and submits that the date i.e. 13.12.2021 was a substantive date before the trial Court as three witnesses, namely SI Naresh Kumar, Inspector Mukesh Kumar and complainant Anuj, were present in Court and on account of non-appearance of the petitioner and other accused, their statement could not be recorded.

Learned State counsel further submits that the non-appearance of the petitioner was intentional to delay the trial.

Be whatsoever, considering the fact that this is the first default on the part of the petitioner, the present petition is disposed of with a direction to the petitioner to appear before the trial Court within a period of 15 days from today and on doing so, the trial Court shall release him on bail, subject to his furnishing fresh bail/surety bonds to its satisfaction.

Till the time the petitioner appears before the trial Court, his arrest shall remain stayed.

However, this will be subject to a condition that petitioner will deposit a cost of Rs. 5,000/- with the District Legal Services Authority concerned for causing delay in trial.

24.01.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No