

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.248

CRM-M-8681-2020

Date of decision: 10.03.2022

Rohit Khanna

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Chanchal K. Singla, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

Through the present petition preferred under Section 482 Cr.P.C., the petitioner seeks setting aside of the order dated 28.08.2019 passed by the Judicial Magistrate, Ist Class, Faridabad (for short – the Trial Court) through which an application filed by the petitioner for personal exemption was dismissed and the bail granted to him in FIR No.318 dated 11.07.2016 registered under Sections 498-A, 406, 506, 377 IPC at Police Station Sector-31, Faridabad, was cancelled.

On August 17, 2020, this Court had passed the following order:-

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this application filed under Section 482 Cr.P.C. is for extension of time so as to surrender before the trial court, in terms of the order dated 27.02.2020 passed by this Court.

Learned counsel for the applicant-petitioner submits that in terms of order dated 27.02.2020 passed by this Court, the applicant moved an application before the trial court to admit him on interim bail, however, he was not able to deposit Rs.15,000/- within the time given by this Court i.e. upto 10.03.2020, though the said amount was deposited on 12.03.2020. Since the order dated 27.02.2020 was not complied with within the time given, petitioner was asked to get the order extended from this Court granting him interim bail. He further submits that the petitioner has deposited

Rs.15,000/- in terms of the order dated 27.02.2020, but he was not admitted on bail by the trial court because the time granted by this Court vide order dated 27.02.2020 has already expired. It being lockdown in the entire nation, the present application could not be filed before this Court in time, now, the applicant-petitioner seeks extension of time.

Notice of the application.

On the asking of the Court, Ms. Priyanka Sadar, AAG, Haryana, appears and accepts notice on behalf of the respondent-State.

Heard learned counsel for the parties.

Petitioner is granted one week's more time to surrender before the trial court, in terms of order dated 27.02.2020 passed by this Court and on his appearance/surrender, the trial court shall admit him on bail on his furnishing adequate bail bonds/surety bonds to its satisfaction.

Application stands disposed of accordingly.”

Learned State counsel submits that in pursuance to the afore-quoted order, the petitioner appeared before the Trial Court and on such appearance was admitted to interim bail to the Trial Court's satisfaction.

In the light of the above conduct of the petitioner, it is directed that the order of this Court dated 17.08.2020 granting interim bail to the petitioner is ordered to be made absolute.

March 10, 2022

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No