

CRM-M-17716-2022

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

CRM-M-17716-2022
Date of decision: 28.04.2022

Rakesh Kumar Ralli and another ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vishal Nehra, Advocate for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J.

CRA No.127 of 2019 titled as M/s Globus Pharmaceuticals Pvt. Ltd. And others vs. Genuine Medicos arising out of complaint bearing No.NACT/38 of 2016 dated 29.11.2016 under Section 138 of Negotiable Instruments Act 1881.
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1. Aggrieved by the cancellation of the bail order dated 12.04.2022, on failure to attend trial, the petitioners have come up before this court under section 438 of the Code of Criminal Procedure, 1973 (CrPC).

2. Ld. counsel representing the State opposes bail.

3. In paragraph 4, the petitioners submit that they had been regularly appearing; however, on 12-04-2022, they had filed application for exemption from personal appearance on medical grounds, but the same was dismissed.

4. Without adjudicating the maintainability of the present petition, I am satisfied with the explanation offered by the petitioners coupled with the statement made by Id. Counsel that one of the petitioner is suffering from cancer. Given above, this court is allowing the present petition.

5. Consequently, the petition is allowed, the impugned order dated 12-04-2022 is set aside, and the bail bonds are restored, subject to the condition that the petitioners shall appear before the concerned court on or before 13-05-2022.

6. **In return for the protection from incarceration, the Court believes that the accused shall also reciprocate by attending the trial on every date.**

CRM-M-17716-2022

7. *There would be no need for a certified copy of this order for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

Petition allowed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

28.04.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.