

CRM-M-37563-2022

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

CRM-M-37563-2022

Date of decision:24.08.2022

Joy Vig

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shailender Kashyap, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case FIR No.372 dated 03.10.2016, registered at Police Station Udyog Vihar, Gurugram, District Gurugram, under Sections 379, 420, 411, 476, 34 and 201 IPC.

Learned counsel for the petitioner contends that the petitioner was arrested on 15.03.2018, but the trial Court had released him on bail, vide order dated 29.05.2018; that the petitioner had been regularly appearing in person or through his counsel before the trial court; that however on 05.11.2019, the petitioner could not appear before the trial Court and moved an application seeking exemption from his personal appearance, which had been dismissed by the trial Court; that due to non-appearance of the petitioner, his bail was cancelled and warrants of arrest had been issued against him.

Learned counsel further contends that vide order dated

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02.03.2022 passed by the Allahabad High Court, the petitioner had been granted interim protection in another case i.e. FIR No.212/2019, Police Station Vrindavan, District Mathura, under Sections 384, 504 and 507 IPC, registered against him. He further contends that owing to Covid-19 pandemic, the Courts were working in a restricted manner and, therefore, the petitioner could not surrender before the trial Court; that absence of the petitioner before the trial Court was not intentional, and that the petitioner is now ready to appear before the trial Court.

I have heard the learned counsel for the petitioner.

A perusal of the record would show that vide order dated 05.11.2019, the trial Court had dismissed the application moved by the petitioner seeking exemption from his personal appearance, while noticing the fact that the ground taken therein was not sustainable and that the petitioner had deliberately absented himself from the court proceedings.

The bail of the petitioner was cancelled way back on 05.11.2019. The aforesaid fact was also in the knowledge of the petitioner through his counsel. So far as the contention of the learned counsel for the petitioner that due to Covid-19, he could not surrender before the trial Court, is not sustainable for the reason that the courts have been functioning smoothly for the last one year, but the petitioner has not made any effort to surrender before the trial Court.

It has gone un rebutted that the petitioner has been evading the process of law for about two years and nine months. The conduct of the petitioner is not above board.

Keeping in view the conduct of the petitioner, this Court does

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not find any merit in the present petition.

Therefore, finding no merit in the present petition, the same is dismissed.

24.08.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No