

Sr.No.134

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

**CRM-M-46410, 46412, 46417, 46419, 46420, 46425, 46427, 46431, 46435,
and 46439 of 2022**

Date of decision:07.10.2022

Ramesh Chandra

... Petitioner

versus

State of Haryana

... Respondent

Coram: Hon'ble Mr. Justice Jagmohan Bansal

Present: Mr. K.S.Nalwa, Advocate with
Mr. Ishan Kehtarpal, Advocate
for the petitioner.

Jagmohan Bansal, J.(Oral)

This order shall dispose of 10 petitions involving common facts and issues. For the sake of convenience, the facts are borrowed from CRM-M-46410 of 2022.

The petitioner through instant petition under Section 482 of the Code of Criminal procedure, is seeking quashing of orders dated 20.09.2022 (Annexure P-10), order dated 06.09.2022 (Annexure P-8) and order dated 23.08.2022 (Annexure P-6) passed by learned JMIC, Gurugram.

Learned counsel for the petitioner contends that petitioner is a 84 years old man and he has been implicated in different FIRs on identical set of allegations and invoking identical provisions of Indian Penal Code. The petitioner on account of communication gap which arose on account of pendency of 10 cases before learned JMIC and 3 before learned ACJM,

failed to appear before learned JMIC, Gurugram where 10 cases were listed.

Learned JMIC, Gurugram on account of non-appearance of petitioner has cancelled bail granted to the petitioner and further forfeited surety bonds. Learned JMIC has further issued non-bailable warrants against the petitioner.

The petitioner further contends that he could not appear before learned JMIC, Gurugram on the date fixed because of aforesaid reason, however, undertakes to appear before learned JMIC, Gurugram on each and every date.

Notice of motion.

On the asking of Court, Mr. Amit Aggarwal, DAG, Haryana accepts notice on behalf of the respondent-State and fairly does not dispute the facts, however, prays for imposing of costs.

It is undisputed fact that the petitioner is a 84 years old man and learned JMIC has cancelled bail on account of his non-appearance. The petitioner is undertaking to appear on each and every date and is further ready to pay costs as imposed by this Court.

Right of personal liberty guaranteed by Article 21 of the Constitution of India is one of the most precious and important fundamental right guaranteed by our Constitution. Arrest not only deprives right of personal liberty but also causes mental agony, stress and tarnish reputation of entire family. There is certainly lapse on the part of petitioner and reasons advanced are not much convincing, however, keeping in view facts and circumstances, I deem it appropriate to extend the concession of bail to petitioner, subject to furnishing of fresh bail bonds to the satisfaction of

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learned trial court.

The petitioner is directed to appear before the learned trial court on 19.10.2022 and furnish bail bonds. He is further directed to deposit costs of Rs.10,000/- to be paid to the respondent-State **in each case.**

The petitions are disposed of in above terms.

7th October, 2022

[JAGMOHAN BANSAL]

Shivani Kaushik

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No