

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

CRM-M-50327-2021 (O&M)

Date of Decision: 04.03.2022

Surender Goyal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gitesh Sharma, Advocate,
for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 438 Cr.P.C. Read with Section 482 Cr.P.C. for grant of pre-arrest to the petitioner, sought to be arrested in pursuance of warrants of arrest on account of non-appearance before learned trial Court in FIR No.1013 dated 22.11.2018, under Sections 406 & 420 of the Indian Penal Code, 1860; Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013, registered at Police Station Ballabgarh City, District Faridabad.

This Court, while issuing notice of motion on 02.12.2021, passed the following order:-

“Inter-alia contends that on account of the single default before learned trial Court, bail bond as well as surety bond of the petitioner were cancelled on 26.07.2021.

Notice of motion for 04.03.2022.

In the meanwhile, petitioner will surrender

before the learned trial Court and in case of his doing so, he be released on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of CJM/trial Court. ”

Learned counsel for the petitioner submits that in pursuance of the above order, petitioner surrendered before the Court below and he has been released on bail.

The above factual position is duly acknowledged by learned State counsel after getting instructions from the official concerned.

In view of the above, the present petition is allowed; interim bail granted by this Court on 02.12.2021, is made absolute subject to his furnishing fresh bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

04.03.2022
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No