

116

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47573-2022

Date of Decision: 14.11.2022

RACHAN VASHISHT

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sandeep Singh Jattan, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 482 of Code of Criminal Procedure, 1973, the petitioner is seeking quashing of order dated 08.09.2022 vide which her bail has been cancelled in FIR No.84 dated 21.03.2021, under Sections 148, 149, 323, 379-B and 506 of IPC 1860, registered at Police Station Mahesh Nagar, District Ambala.

Learned counsel for the petitioner submits that petitioner was granted anticipatory bail vide order dated 30.04.2021 passed by learned Additional Sessions Judge, Ambala. The petitioner was regularly appearing before the Court but she could not appear on 10.08.2022 and sought exemption which was allowed and matter was adjourned to 08.09.2022, however, she could not contact her counsel as she was admitted in hospital which resulted into non-appearance of the petitioner on 08.09.2022.

Notice of Motion.

On the asking of the Court Ms. Dimple Jain, AAG, Haryana, who is present in Court, accepts notice on behalf of respondent-State and

fairly does not dispute the facts, however, prays for imposition of costs.

The petitioner was granted anticipatory bail. Right of personal liberty granted by Article 21 of the Constitution of India is one of the most pious 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 allow the present petition and to extend concession of bail to the petitioner, subject to furnishing of fresh bail bonds to the satisfaction of learned Trial Court. The petition is allowed and the petitioner is directed to appear before learned Trial Court on 24.11.2022 and furnish fresh bail bonds alongwith costs of Rs. 25,000/- to be paid to the District Legal Services Authority, Ambala.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

14.11.2022
Ali

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>