

209-A

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

**CRM-M No.49656 of 2019  
Date of Decision: 09.02.2022**

Manjeet

.....Petitioner.

Versus

State of Haryana

.....Respondent.

*(Heard through Video-Conferencing)*

**CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

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Present:- Mr. Sukesh K. Jindal, Advocate  
for the petitioner.

Ms. Ambika Sood, Addl. A.G, Haryana  
for the respondent-State.

Mr. Jangjit Singh Dahiya, Advocate  
for the complainant.

**MEENAKSHI I. MEHTA, J.**

By way of the instant petition, the petitioner seeks the relief of anticipatory bail in the criminal case registered at Police Station Sadar Sonipat, vide FIR No.33 dated 28.01.2017 under Sections 323, 332, 353, 365, 395, 307, 302 IPC and Section 25 of the Arms Act, 1959, while averring that initially, he was arrested in this case on 22.09.2017 and vide order Annexure P-1 as passed by this Court on 15.02.2019, he was granted the relief of regular bail but however on 11.10.2019, he could not appear

before the trial Court as he was suffering from high grade fever and nausea on that day. Though he intimated his counsel in the Court below in this regard and asked him to move an application for seeking his exemption from personal appearance in the Court on that day but his counsel did not do so. Resultantly, his bail was cancelled and the bail bonds were ordered to be forfeited and non-bailable warrant was also ordered by the trial Court to be issued against him vide order Annexure P-2 whereas his absence from the Court on that day was un-intentional.

Status-report has already been filed on behalf of the respondent-State by way of the affidavit of Deputy Superintendent of Police, Sonipat.

I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel for the complainant) in the present petition and have also perused the file thoroughly.

It is worth-while to mention here that vide the order dated 22.11.2019 as passed by the Co-ordinate Bench in this petition, the petitioner had been directed to appear before the trial Court while observing that on his such appearance, he would be released on interim bail on his furnishing the bail bonds to the satisfaction of the Court concerned.

Though the petitioner has put-forth the ground of his illness to explain his absence from the Court on the said day but the fact remains that he has not placed any document on the file to substantiate the same. Then, his plea qua the non-filing of the appropriate application by his counsel in the trial Court for seeking his exemption from personal appearance for the

above-said date, also does not suffice at all to plausibly explain his absence from the Court. To add to it, a perusal of Annexure R-1 (colly), i.e the copy of the orders passed by the trial Court in this case, reveals that the trial proceedings stand prolonged due to the absence of one or the other accused specially on the dates when the material prosecution witnesses had appeared in the Court for recording of their testimonies.

Keeping in view the above-discussed facts and circumstances as well as the nature of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed.

**February 09, 2022**  
Yag Dutt

**(MEENAKSHI I. MEHTA)**  
**JUDGE**

*Whether speaking/reasoned:*                      *Yes*

*Whether Reportable:*                              *No*