

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

138

CRM-M-58679 of 2022
Date of decision:22.12.2022

Mukesh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. G.C.Shahpuri, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C., for quashing of order dated 23.08.2022 (Annexure P-4), vide which bail bonds were cancelled, forfeited to the State and warrants of arrest have been issued in case FIR No.65 dated 01.03.2012 registered under Sections 354, 451, 506 IPC at Police Station City Jagadhari, District Yamuna Nagar (Annexure P-1).

Counsel for the petitioner submits that petitioner has been convicted for offences under Sections 451, 354, IPC, vide judgment dated 21.03.2017 (Annexure P-2), which is under challenge in appeal. He submits that due to default in appearance of the petitioner before the Appellate Court, vide impugned order, bail bonds were cancelled and presence of the petitioner was ordered to be secured through warrants of arrest. In compliance of the previous order passed by this Court, counsel has placed on record the print out of the order dated 31.10.2022 passed by the

Appellate Court to submit that petitioner's father, who had stood surety, has appeared before the Court. Counsel submits that petitioner, who is serving as Hawaldar with the Indian Army, could not appear because he had not been granted leave and he had been transferred from Sikkim to Kargil. He submits that the petitioner is now on leave and will join the proceedings within a period of three days from today.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana accepts notice on behalf of respondent-State.

Heard counsel for the parties.

In case petitioner appears before the Appellate Court, joins the proceedings within one week from today and moves an appropriate application, Appellate Court shall consider it and pass orders keeping in view the background noticed above.

Petition is disposed of.

December 22, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No