

S.No.104

RENU
2023.01.19 14:40

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

CRM-M-1682 of 2023

Date of Decision:16.01.2023

Anil Kakar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kuldeep Singh Siwach, Advocate for the petitioner.

DEEPAK GUPTA, J.

Petitioner seeks pre-arrest bail in case FIR No.271 dated 11.03.2022 registered under Section 174A IPC at Police Station Barwala, District Hisar.

In complaint case titled **Baldev Munjal Vs. Anil Kakkar**, CIS No.1157/2018, in the Court of learned JMIC, Hisar, petitioner – accused was allowed bail on 07.09.2019. He lastly appeared on 24.01.2020 and the matter was adjourned to 07.03.2020. On account of corona period, case was adjourned on several dates by the Court itself. On 19.02.2021 application for exemption moved on behalf of the petitioner was allowed. From the very next date of hearing i.e. 05.03.2021, he absented, so, his bail was cancelled. Despite warrant of arrest, he failed to appear in the Court though it was intimated by his son that he was out of station. Ultimately, learned trial Court issued proclamation under Section 82 Cr.P.C on 20.08.2021 and as petitioner failed to surrender, he was declared proclaimed person on 04.10.2021. On the direction of the Court, FIR No.271 dated 11.03.2022 was registered under Section 174-A of IPC at Police Station Barwala, District Hisar.

It is submitted by the petitioner that he could not get information after the corona period and that he is ready to compromise the matter.

Without going into the merits of the case, the petitioner is directed to surrender before the trial Court on or before 01.02.2023. The learned trial Court shall revive the proceedings in the complaint case under Section 138 of the NI Act and shall consider the bail application of the petitioner on the date of his appearance itself. Simultaneously, petitioner shall join the proceedings in the case registered against him under Section 174-A IPC and co-operate in the same. It is made clear that in case petitioner fails to make compliance of any of this direction, this bail petition shall be deemed to be dismissed.

Disposed of accordingly.

January 16, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No