

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4512-2023

DATE OF DECISION: JANUARY 30, 2023

SHIRA @ JASVIR SINGH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MS. RANA GHUMAN, ADVOCATE FOR THE PETITIONER.

DEEPAK MANCHANDA, J.(ORAL)

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in the event of arrest in case FIR No.0171, dated 29.7.2021, under Section 147, 148, 149, 324, 506 IPC(Section 307 IPC added later on), Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner has argued that the petitioner was granted anticipatory bail vide order dated 25.11.2021 and since then he was regularly appearing before the trial Court, but only on one one date, i.e. 17.11.2022, he could not appear, for the reason that his mother was under medical treatment and he remained busy. Due to the said absence before the trial Court, vide order dated 17.11.2022, the bail granted to the petitioner was cancelled and his bail and surety bonds were forfeited and warrant of arrest for 17.1.2023 was also issued. Learned counsel further submits that the petitioner is ready to appear before the trial Court.

When counsel for the petitioner was confronted with the maintainability of the petition against the order dated 17.11.2022, learned counsel submits that the petitioner is ready to appear before the trial Court.

Notice of motion.

At this stage, Mr. Bhupender Singh, DAG, Haryana, who is present in the Court accepts notice on the asking of the Court and submits that the impugned order has been passed on the sole ground of absence of the petitioner, however, it is not disputed by him that the petitioner was on anticipatory bail since 25.11.2021 and had been appearing before the trial Court.

The petitioner is directed to appear before the trial Court on 6.2.2023 and on his doing so, he shall be admitted to bail on his furnishing fresh bail bonds and surety bonds.

Petition is disposed of.

January 30, 2023
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No