

115 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 23.02.2023.
CRM-M-5844-2023

GAURAV SOOD ... PETITIONER
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS

CRM-M-5866-2023

GAURAV SOOD ... PETITIONER
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS

CRM-M-5876-2023

GAURAV SOOD ... PETITIONER
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Aditya Jain, Advocate
for the petitioner(s).

VIVEK PURI, J.(ORAL)

The petitioner has assailed the order dated 05.01.2023 passed by the Court of learned Additional Sessions Judge, Faridabad vide which application for exemption from personal appearance of the petitioner was rejected, the bail was cancelled, bonds were forfeited to the State and he has been ordered to be summoned through non-bailable warrants.

Learned counsel for the petitioner contends that the father of the petitioner is patient of cancer and the petitioner was present at Jalandhar as his father was admitted in Patel Hospital, Jalandhar. It has been further submitted that 20% of the cheque amount in pursuance of the interim order passed by the learned Appellate Court has already been deposited. Besides, the petitioner has also transferred the amount of Rs.5 lac each on 08.02.2023, 09.02.2023 and 10.02.2023 in the account of respondent No.2.

He further contends that next date of hearing in the Appellate Court is 01.04.2023 and he undertakes to appear in the Appellate Court on the date fixed and restricts his prayer only to the extent that in the meanwhile, the petitioner may be protected.

In these set of circumstances, the petitions are disposed of with a direction that the petitioner shall surrender before the learned Appellate Court on or before 01.04.2023 and shall move an application for regular bail which shall be decided by the learned Appellate Court, in accordance with law. However, it is directed that till the disposal of the bail application, the arrest of the petitioner shall remain stayed and also for a period of two weeks thereafter in the event the bail application is dismissed. This order will not provide any leverage to the petitioner to absent from proceedings in the Appellate Court at subsequent stage and furthermore, the order is without prejudice to the proceedings under Section 446 Cr.P.C. that may be initiated against the petitioner and his surety.

The petitions are disposed of without issuance of notice to the respondents in order to avoid further unnecessary delay in disposal of the appeals.

23.02.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No