

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

CRM-M-7446 of 2023

Date of Decision: February 23, 2023

Rakesh Kumar @ Rakesh ...Petitioner
Versus
State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ramnish Puri, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition is to quash order dated 25.11.2021 (Annexure P.4) passed by learned Sessions Judge, Jind in CRA No.28 of 2019 whereby bail of the petitioner was cancelled, bonds were forfeited to the State and warrants of arrest were issued against him.

It emerges that the petitioner was allowed bail by the Appellate Court in the appeal which was filed against conviction recorded in a complaint under Section 138 of Negotiable Instruments Act. However, petitioner failed to appear before the Court on 25.11.2021 compelling the Court to cancel his bail. Today, counsel for the petitioner has placed on record the orders passed subsequent to the order dated 25.11.2021 which reveal that warrants of arrest are being continuously issued against the petitioner but he has not surrendered so far. Even his surety has been intimated but the still the petitioner has not surrendered. Learned counsel for the petitioner requests that he be provided one opportunity to surrender before the Appellate Court.

Petitioner is directed to surrender before the concerned Court within a period of 15 days from today. However, this is subject to ₹10,000/- as costs to be deposited with District Legal Services Authority,

Jind. On his appearance before the concerned Court, his bail petition shall be considered sympathetically though Court will be at liberty to initiate proceedings under Section 446 Cr.P.C.

In the meantime, in the event of arrest of the petitioner, pursuant to the warrants of arrest issued against him, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

Disposed of.

February 23, 2023

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**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No