

CRM-M-8058-2023
Date of decision: 16.02.2023

VERSUS **...PETITIONER**

...RESPONDENTS

CRM-M-8066-20023

...PETITIONER

STATE OF HARYANA AND ANR.

...RESPONDENTS

CRM-M-8081-2023

...PETITIONER

VERSUS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Alok Mittal, Advocate for the petitioner(s).

VIVEK PURI,J. (ORAL)

Petitioner has sought the quashing of order dated 07.12.2022 Annexure P-6 and order dated 22.12.2022 Annexure P-7 passed by the learned trial Court in the complaint case pending against him.

Learned counsel for the petitioner contends that at the earlier instance, petitioner had instituted a petition under Section 482 Cr.P.C seeking to quash the complaint. During the pendency of the said petition, a stay order operating in favour of the petitioner was passed. However, the petition was dismissed on 14.11.2022. In terms of order dated 23.11.2022, the notice was issued to the petitioner and his counsel by the learned trial Court for 07.12.2022. However, on 07.12.2022, the notice issued to the petitioner and his counsel

As was not received either served or unserved, which fact is evident from the order.

Learned trial Court has cancelled the bail of the petitioner and bonds have also been forfeited to the State. The petitioner has been ordered to be summoned through non-bailable warrants. He further contends that the next date of hearing in the trial Court is 17.02.2023 and case in the trial Court is fixed for defence evidence. This is the first default on the part of the petitioner. The petitioner undertakes to surrender in the trial Court on the date fixed i.e. 17.02.2023. Accordingly, the limited request has been made that the petitioner may be protected.

The petition is disposed of with a direction that in the event, the petitioner surrenders before the trial Court on 17.02.2023 and moves an application for regular bail, the arrest of the petitioner may not be effected till the disposal of the bail application and also for a period of 02 weeks, thereafter, in the event, the application is dismissed by the trial Court.

16.02.2023

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**(VIVEK PURI)
JUDGE**

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