

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

Sr. No. 123

CRM-M-9765-2023

Date of Decision:-23.02.2023

TARAKNATH

... Petitioner

Versus

STATE OF HARYANA & ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

-:-

Present:- Mr. Umesh Aggarwal, Advocate for the petitioner.

DEEPAK MANCHANDA, J. (Oral)

The petitioner has filed this petition under Section 482 Cr.P.C, 1973 for quashing the impugned order dated 08.02.2023 (Annexure P-1) passed by the Judicial Magistrate Ist Class, Amritsar, vide which the bail/surety bonds of the petitioner were forfeited on account of non appearance on 08.02.2023.

Learned counsel for the petitioner has argued that the petitioner was regularly attending the Court proceedings. As the petitioner was doing a private job in Kolkata since January 2021, as such he was unable to attend the Court on 08.02.2023 and he requested his counsel to file an exemption application. However, the said application was declined by the trial Court on dated 08.02.2023 and the bail bonds furnished before the trial Court were forfeited and non-bailable warrants were issued against the petitioner. Learned counsel submits that petitioner is ready to appear before the trial Court.

Notice of motion.

At this stage, Mr. Bhupinder Singh, DAG, Haryana, who is present in Court accepts notice on the asking of 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 bail

and had been appearing before the trial Court.

Keeping in view the above, the order dated 08.02.2023 (Annexure P-1) passed by the Judicial Magistrate Ist Class, Faridabad is set aside and the petitioner is directed to appear before the trial Court on 04.03.2023 and on his doing so, he shall be admitted to bail on his furnishing fresh bail bonds and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate.

Petition is disposed of.

(DEEPAK MANCHANDA)
JUDGE

23.02.2023
yogesh

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No