

116 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-15156-2023

Date of decision : 24.03.2023

**Dharamveer Verma**

**.....Petitioner**

**versus**

**State of Haryana and another**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**\*\*\***

Present :- Mr. Santpal Singh Sidhu, Advocate  
for the petitioner.

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**RAJESH BHARDWAJ, J. (Oral)**

Prayer in the present petition is for setting aside the order dated 06.03.2023 passed by the Judicial Magistrate Ist Class, Sirsa in Complaint No.NACT 528 dated 07.10.2014 titled as Bajinder Kumar @ Swami Vs. Dharamveer Verma etc with a further prayer that the petitioner be directed to be released on bail in the event of his appearance before the trial Court.

It has been contended by counsel for the petitioner that learned trial Court has fallen in error in forfeiting the bail bonds of the petitioner. It is submitted that the petitioner is being prosecuted in a complaint under Section 138 of Negotiable Instruments Act and he was granted bail. He submits that the petitioner duly joined the proceedings. He further submits that the petitioner was granted exemption also, however, the same was not continued and on account of the same, petitioner failed to appear before the Court. It is submitted that the petitioner is ready to appear before the Court and join the proceedings. He submits that the petitioner has no criminal antecedents and he is ready to join the proceedings and abide by the terms and conditions of bail.

Notice of motion to official respondent only.

On asking of the Court, Mr. B.S. Virk, DAG, Haryana accepts notice on behalf of the respondent-State.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted to the petitioner who remained absent on 06.03.2023 without any valid reason.

After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner has no criminal antecedents and he remained absent on one day i.e. on 06.03.2023 and his bail was cancelled and bail bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants. The petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 06.03.2023 is *set aside* subject to payment of Rs.25,000/- as costs to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh and also Rs.25,000/- to be deposited in the Punjab and Haryana High Court, Bar Association Lawyer's Welfare Fund, Chandigarh by the petitioner in one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 06.03.2023 would come in force.

24.03.2023  
m. sharma

( RAJESH BHARDWAJ )  
JUDGE

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