

CRM-M 15299-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M 15299-2023

Date of Decision: 17.04.2023.

Bindu Talwar and Anr.

.....*Petitioners**Versus*

State of Haryana and Anr.

.....*Respondents***CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.**

Present: Mr. Aditya Jain, Advocate for the petitioners.

GURBIR SINGH, J (ORAL)

The present petition has been filed for quashing order dated 28.07.2022 (Annexure P-9), passed in case FIR No.677, dated 23.11.2019, under Sections 120-B, 406, 420, 506 IPC,, registered at P.S. Faridabad Central, District Faridabad, cancelling the surety and bail bonds of the petitioners.

Learned counsel for the petitioners contends that petitioner were earlier granted regular bail. On 26.07.2022, application for exemption of the petitioners was allowed and the case was adjourned. As per case status, next date was shown as 29.08.2022. He submits that the zimni order dated 26.07.2022 was not uploaded on the website on 26.07.2022 or 27.07.2022 and as per the status position shown on the webpage, the date 29.08.2022 is still shown as next date from 26.07.2022. Copy of the history of the case downloaded from website is annexed as Annexure P-8. On 28.07.2022 (Annexure P-9), bail granted to the petitioner was cancelled and he was ordered to be summoned through non-bailable warrant of arrest. Neither petitioners nor their counsel were aware about the date fixed i.e.28.07.2022. The order dated 29.08.2022 (Annexure P-11), which is as under:-

'Present: None

File put up by Reader of this Court as he has reported that case is fixed for today in the CIS. A careful perusal of the file shows that case is adjourned to 06.12.2022 on the last of hearing. Heard. File be put on the date fixed i.e. 06.12.2022.

Date of order: 29.08.2022

*(Gagandeep Goyal)
Civil Judge (JD)'*

Since the case was adjourned to 29.08.2022, so case was taken up on that date.

Notice of motion.

Mr. Sarabjit Singh Cheema, DAG, Punjab, accepts notice on behalf of respondent-State.

Since a confusion was created by posting next date as 29.08.2022 instead of 28.07.2022. The petitioners are directed to surrender in the trial Court/Duty Magistrate within a period of 10 days and move an applications for bail. On their doing so, they shall be released on bail on their furnishing bails bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

The present petition is *disposed of* accordingly.

**(GURBIR SINGH)
JUDGE**

17.04.2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No