

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

106

CRM-M-18471-2023

Date of Decision: 17.04.2023

Nirmal Kumar Ramnivas Vaid and Others**...Petitioners**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Gagandeep Singh Sirphikhi, Advocate for the petitioners

Ms. Dimple Jain, AAG, Haryana

Mr. Ajay Kalra, Advocate for the complainant

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Section 438 Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') is seeking anticipatory bail in FIR No.158 dated 22.11.2018 under Sections 498-A, 406, 509, 342 & 34 of Indian Penal Code, 1860 (for short 'IPC') registered at Women Police Station, Sector 51, Gurugram.

2. Learned counsel for the petitioner *inter alia* contends that vide orders dated 05.01.2019 and 26.12.2019, the petitioners were granted concession of anticipatory bail by Additional Sessions Judge, Gurugram. The petitioners, time and again, appeared before the Trial Court, however, on two occasions, did not appear and sought exemption. The Trial Court vide order dated 04.08.2022 dismissed application of the

petitioners seeking exemption from appearance and cancelled bail bonds. The petitioners were directed to be produced through warrant of arrest. The petitioners are old age citizens of the country and they are residing in Mumbai, thus, on account of unavoidable circumstances sought exemption from personal appearance. There was no intention to delay the trial. They undertake to appear on each and every date until and unless exemption is granted by the Trial Court. They are ready to pay costs of Rs.1 Lac to the complainant on account of their lapse.

3. Learned State counsel and learned counsel for the complainant submits that petitioners may be directed to remain present on each date before the Trial Court until and unless exemption is granted.

4. Without going into merits of the case, the present petition is disposed of with a direction to the petitioners to surrender before the Trial Court within three weeks from today and on doing so, the Trial Court shall release them on bail subject to furnishing of fresh bail bonds to its satisfaction and payment of costs of Rs.1 Lac to the complainant.

(JAGMOHAN BANSAL)
JUDGE

17.04.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>