

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27611-2023 (O&M)
Date of Decision:-29.05.2023

KULDEEP ALIAS FIGO

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Simranjeet Singh, Advocate
for the petitioner.

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KARAMJIT SINGH, J. (Oral)

1. The present petition has been filed by the petitioner seeking quashing of the order dated 17.2.2023 (Annexure P-3), whereby the bail bonds of the petitioner were cancelled and he was ordered to be summoned through NBWs by the trial Court on account of the absence of the petitioner in criminal case having FIR No.43 dated 23.02.2021 (Annexure P-1).
2. The counsel for the petitioner *inter alia* submits that absence of the petitioner before the trial Court was not intentional and rather on that day the petitioner was indisposed and that is why an application was filed before the trial Court seeking exemption of personal appearance

of the petitioner which was supported by the medical certificate. However the learned trial Court declined to accept the said request and passed impugned order. The counsel for the petitioner further submits that the learned trial Court doubted about genuineness of concerned medical certificate and the matter regarding same is pending before the trial Court. The counsel for the petitioner further submits that the petitioner is ready to join proceedings before the learned trial Court and this was first default on the part of the petitioner.

3. Notice of motion.
4. On the asking of the Court, Ms. Harpreet Kaur, AAG, accepts notice on behalf of State of Haryana and on instructions from ASI Om Parkash submits that the petitioner jumped bail and consequently impugned order was passed by the learned trial Court and there is no illegality or perversity in the same. The State counsel submits that along with the application seeking exemption from personal appearance, petitioner also produced medical certificate and genuineness of said certificate is being examined by the learned trial Court.
5. In view of the fact that it was first default on part of the petitioner and he is ready to join proceedings in the trial Court, the petitioner is hereby directed to appear before the trial Court within 7 days from today and on his doing so, the petitioner is directed to be released on regular bail by the said Court to its own satisfaction subject to cost of Rs.10,000/- which is to be deposited by the petitioner with the District Legal Services Authority, Fatehabad. However the trial Court is at

liberty to proceed further with regard to issue relating to genuineness of medical certificate filed by the petitioner on 17.2.2023 in support of his application seeking exemption from personal appearance on that day.

6. The petition is disposed of in aforesaid terms.

29.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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