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2023 : PHHC : 080720
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28568-2023
Date of Decision: 02.06.2023

SANJU

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Jagmohan Ghumman, Advocate for the petitioner.
Mr. Ranvir Singh Arya, Addl. AG Haryana.

* * *

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking to quash the impugned order dated 02.08.2022 vide which his bail was cancelled, bail bonds and surety bonds have been cancelled and forfeited to the State, warrants of arrest of the petitioner and notice to the surety has been issued.

2. Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused in the case bearing FIR No. 624 dated 04.10.2017 under Sections 148, 149, 307, IPC and Section 25 of Arms Act (Sections 411, 201, 34 IPC added later on) registered at Police Station Badshahpur, District Gurugram. At the earlier instance, the petitioner was granted regular bail by the Co-ordinate Bench of this Court in terms of the order dated 13.08.2021 passed in CRM-M-7070-2021, Annexure P-3. The petitioner had absented from the proceedings on 02.08.2022 and consequently, the impugned order was passed. This is the first default on the part of the petitioner. The reason assigned for non-appearance is confinement of the petitioner in another case registered against him.

3. It has been further submitted that the petitioner is ready and willing to surrender before the trial Court and face trial. The next date of hearing in the trial Court is stated to be 21.07.2023.

4. Notice of motion.

5. Mr. Ranvir Singh Arya, Addl. AG Haryana accepts notice on behalf

of the State and submits that appropriate directions may be issued to the petitioner to ensure his presence in the trial Court.

6. The petition is disposed of with a direction that the petitioner shall surrender before the trial Court on or before 21.07.2023 and shall move an application for regular bail. However, the arrest of the petitioner shall remain stayed till the disposal of the bail application and for a period of 15 days thereafter in the event the application is dismissed.

7. This order is without prejudice to the proceedings under Section 446 Cr.P.C. that may be initiated against the petitioner and the surety.

02.06.2023

Janki

(VIVEK PURI)
JUDGE

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