

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31032-2023

Date of decision : 22.6.2023

Ishwar alias Ishu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present :- Mr. Rohit Mittal, Advocate
for the petitioner.

SUKHVINDER KAUR, J. (ORAL)

Prayer in the present petition is for grant of pre-arrest bail to the petitioner in case FIR No. 732 dated 18.11.2021 registered under Sections 147, 149, 323, 341, 379 B, 506 IPC at Police Station City Narnaul.

Learned counsel for the petitioner has contended that due to some unavoidable circumstances, petitioner could not appear before the trial Court on 8.5.2023. Therefore, his bail and surety bonds were cancelled and warrants of arrest were ordered to be issued against him.

It has been contended that the absence of the petitioner on the said date was not intentional. Rather it was due to the fact that he had noted down the wrong date. It has been argued that no useful purpose is likely to be served by sending him behind bars and the petitioner may be directed to surrender before the trial Court and be released on bail on furnishing requisite bonds.

Notice of motion.

Mr. Rajiv Goel, DAG Haryana accepts notice on behalf of State.

The copy of order dated 8.5.2023 of the trial Court (Annexure P-4) has been placed on record, as per which the petitioner became absent before the trial Court on that date and thereafter, he did not make appearance on 1.6.2023 and 15.6.2023. The non bailable warrants against the petitioner and notice to his

surety have already been ordered to be issued by the trial Court.

As earlier the accused was regularly appearing before the trial Court and was facing the trial, so it appears that absence of petitioner on 8.5.2023 was not intentional. No useful purpose is likely to be served by sending the petitioner behind bars and rather it will delay the proceedings of the case. Therefore, the petitioner is directed to surrender before the trial Court within ten days from today and on his surrendering before the trial Court, he will be enlarged on bail by the trial Court on his furnishing personal and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, with undertaking to appear on each and every date of hearing.

This petition is disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

22.6.2023
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No