

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

127

Criminal Misc. No. M-36156 of 2023

Date of decision :-27.07.2023

Virender Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. G.C. Shahpuri, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in this petition is for quashing of order dated 27.4.2023 (Annexure P-4) passed by the Judicial Magistrate 1st Class, Jagadhri, vide which the regular bail of the petitioner has been cancelled and his bail bonds and surety bonds are ordered to be forfeited and warrants of arrest have been issued against the petitioner.

Learned counsel for the petitioner submits that on the date of non-appearance of the petitioner on 27.4.2023, the petitioner had even filed an application (Annexure P-2) seeking exemption from his personal appearance on the ground that he was unwell. Learned counsel for the petitioner has attached the medical record of the petitioner as Annexure P-3 to show that the petitioner was suffering from high fever and was under treatment from 26.4.2023 till 28.4.2023. Learned counsel for the petitioner refers to the zimni

orders including the last date of hearing i.e.09.3.2023 to submit that the petitioner was regularly appearing before the trial Court. Learned counsel for the petitioner submits that the petitioner undertakes to appear before the trial Court within the time period as ordered by this Court and requests that till then the petitioner may be protected.

In view of the above position, the present petition is **disposed of** with a direction to the petitioner to appear before the learned trial Court within two weeks from today. In case the petitioner so appears before the trial Court within the prescribed time and moves an application for bail, the trial Court may consider the same sympathetically as per law and the impugned order dated 27.4.2023 (Annexure P-4) shall be deemed to be set aside. Meanwhile, no coercive steps would be taken against the petitioner.

July 27, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No