

2023:PHHC:087695
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

270

CRM-M-41847-2022

Date of Decision: 13th July, 2023

Rakesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Krishna Kanha, Advocate for
Mr. Narinder S. Lucky, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

1. This petition has been filed for quashing of order dated 20.9.2021 cancelling the bail of the petitioner and ordering forfeiture of the bail bonds.

2. On 13.9.2022, the following order was passed :-

“Inter alia contends that in the present case, the petitioner was granted regular bail vide order dated 02.04.2019 and the petitioner was regularly appearing before the trial Court but on account of his ill health, could not appear on 20.09.2021 on which date, the impugned order was passed. It is submitted that earlier the petitioner had filed anticipatory bail before the Additional Sessions Judge, Ambala which was dismissed and now the present petition under Section 482 Cr.P.C. has been filed. It is further submitted that since one prosecution witness had appeared on 20.09.2021 thus, in order to compensate the complainant, the petitioner is ready to pay Rs.15,000/- and also undertakes to appear before the trial Court on or before 29.09.2022 which is the next date of hearing before the trial Court.

Notice of motion for 10.10.2022.

In the meanwhile, warrants of arrest issued against

the petitioner are stayed till the next date of hearing subject to the petitioner appearing before the trial Court on or before 29.09.2022 and also subject to the petitioner depositing an amount of Rs.15,000/- with the trial Court on or before the said date and also subject to the petitioner giving an undertaking before the trial Court that he shall appear on each and every date of hearing except the date on which his presence is specifically exempted and on appearance of the petitioner before the trial Court on or before 29.09.2022 and after compliance of the above said conditions, the petitioner would be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of the trial Court.

The amount of Rs.15,000/- deposited with the trial Court would be released by the trial Court to the complainant in the present case.

It is made clear that in case any condition is not complied with , then the interim relief so granted will be liable to be vacated.”

3. Learned counsel for the petitioner submits that the petitioner appeared before the Trial Court in pursuance to the directions of this Court and deposited an amount of Rs.15,000/-. He was granted interim bail, however he is in custody in other case.

4. In view of the above, no further directions are called for.

5. Petition is disposed of.

6. Since the main case has been disposed of the pending application(s), if any is rendered infructuous.

**(AVNEESH JHINGAN)
JUDGE**

13th July, 2023

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