

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39321-2023 (O&M)
Date of decision : 10.08.2023

Pardeep Kumar ... Petitioner(s)
Versus
State of Haryana ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Anter Singh Brar, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of the order dated 02.06.2023 (Annexure P-6) whereby warrants for arrest of the petitioner have been issued and his bail has been cancelled and the bonds were forfeited due to his non-appearance in case i.e. SC-159/2022 of CNR No.HRAM-01-006350-2022 titled as State Versus Tilak Raj & Ors. pertaining to FIR No.0056 dated 24.01.2022 under Section 10 of the Protection of Children from Sexual Offences Act, 2012 and Sections 323, 354, 354-B, 406, 498-A, 506 read with Section 34 of the Indian Penal Code, 1860 (IPC) registered at Police Station Mahesh Nagar, Ambala Cantt., District Ambala.
2. Learned counsel for the petitioner would contend that the petitioner had been appearing on all dates and it was only on one date when he was unable to attend the Court as he was unwell. It is further the contention that an application for exemption was also sent, however, the

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same was dismissed on the ground that it was not supported by any medical record or affidavit.

3. Notice of motion.

4. On the asking of the Court, Ms. Mahima Yashpal, DAG Haryana accepts notice.

5. Heard.

6. In view of the fact that the petitioner was unable to attend the Court as he was unwell and that on the previous dates he had been attending the Court, I deem it appropriate to dispose off the present petition with a direction that the petitioner shall surrender before the Trial Court/Additional Sessions Judge (Duty) concerned within a period of 07 days from today and in case he does so and files an application for bail, the learned Trial Court/Additional Sessions Judge (Duty) shall hear and decide the said application on the very same day on merits and in accordance with law.

7. Disposed off. Pending applications, if any, also stand disposed off.

10.08.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO