

PARMOD PARIK

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

VIVEK PURI,J. (ORAL)

CRM-37969-2023

1. This is an application for placing on record the copy of the bail application submitted on behalf of the co-accused, Gaytri Devi @ Manju and copy of bail order passed thereupon as Annexures P-4 and P-5.
2. CRM application is disposed of and Annexures P-4 and P-5 are taken on record, subject to all just exceptions.
3. Registry to tag the same at the appropriate place.

Main case

4. The petitioner is seeking to quash the impugned order dated 26.05.2023 passed by the Court of learned Additional Sessions Judge, Yamuna Nagar at Jagadhri in the case bearing FIR No.333 dated 27.07.2022, under Sections 366/370/420/467/468/471/120-B IPC, registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar vide which the bail and the bail bonds of the petitioner were cancelled and he was ordered to be summoned through

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5. Learned counsel for the petitioner contends that earlier, the petitioner was granted regular bail by the learned trial Court in terms of order dated 06.10.2022. The petitioner had been regularly appearing in the trial Court. On 26.05.2023, the petitioner along with the co-accused, Gaytri Devi @ Manju could not put appearance in the trial Court as they had wrongly noted the date of hearing. The arrest of the co-accused, Gaytri Devi @ Manju was effected and she has been released on bail in terms of order dated 19.07.2023. The next date of hearing in the trial Court is 29.09.2023 and the petitioner undertakes to surrender in the trial Court, seek regular bail and face trial. He restricts his prayer only to the extent that meanwhile, the petitioner may be protected.

6. Notice of motion.

7. Mr. Ranvir Singh Arya, Addl. AG, Haryana accepts notice on behalf of the respondent-State and submits that on 26.05.2023, 04 witnesses on behalf of the prosecution were present but they could not be examined on account of non-appearance of the petitioner and the co-accused. Moreover, even on 27.04.2023 i.e the previous date of hearing, 04 witnesses were present but adjournment was requested on behalf of the petitioner and the co-accused. However, it has been submitted that the appropriate directions may be issued so that the petitioner surrenders and participates in the trial.

8. In these set of circumstances, the present petition is disposed of with a direction that the petitioner shall surrender before the learned trial Court on or before 29.09.2023 and shall move an application for regular bail which be disposed of in accordance with law. It is further directed in the event, the petitioner surrenders before the trial Court and moves an application for regular bail on or before 29.09.2023, his arrest may not be effected. Besides, the

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petitioner shall deposit a sum of Rs.5,000/- as costs with the District Legal Services Authority, Yamuna Nagar at Jagadhri. The receipt shall be produced by the petitioner in the trial Court at the time of surrender and submission of application for bail. However, this order is without prejudice to the proceedings under Section 446 Cr.P.C that may be initiated against the petitioner and his surety.

13.09.2023
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**(VIVEK PURI)
JUDGE**

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