

SUNIL

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Yashdeep Nain, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J. (ORAL)

Petitioner is seeking to set aside the order dated 23.05.2022 passed by the Court of learned Additional Sessions Judge, Hisar vide which his bail has been cancelled, bonds have been forfeited to the State and has been ordered to be summoned through warrants of arrest.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused in the case bearing FIR No.115 dated 12.05.2016, under Sections 364/302/201/212/34 IPC and 25 of Arms Act, registered at Police Station Barwala, District Hisar. The petitioner was granted regular bail by this Court in terms of order dated 21.09.2018 passed in CRM-M-14927-2017. It has been submitted that the petitioner had been regularly appearing in the trial Court and this was the first lapse on his part. The petitioner could not appear in the Court on 23.05.2022 on account of illness. This is the first default on the part of the petitioner. In terms of order dated 23.09.2022, the petitioner was directed to surrender before the trial Court on 26.09.2022 and on his doing so, it was further directed that he may be admitted on interim bail.

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has surrendered and has been released on

interim bail.

Keeping in view the fact that this is the first default on the part of the petitioner, the petition is disposed of with a direction that the petitioner shall move an application for regular bail before the trial Court within a period of two weeks and the interim bail granted to the petitioner in terms of order dated 23.09.2022 will enure till the disposal of the said bail application and also for another period of two weeks, in the event, the bail application is dismissed by the trial Court. This order is without prejudice to any proceedings under Section 446 Cr.P.C that may be initiated against the petitioner and his surety.

16.01.2023

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(VIVEK PURI)
JUDGE

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