

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

(126)

CRM-M-44185-2023

Date of decision:- 04.09.2023

Sakir @ Shakir and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sanyam Khetarpal, Advocate for the petitioners.

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners have approached this Court seeking quashing of impugned order dated 16.05.2023, Annexure P-7, passed by learned Additional District and Sessions Judge-I, Faridabad, whereby bail granted to the petitioners have been cancelled, bail bonds have been forfeited and warrants have been issued for their arrest.
2. Counsel for the petitioners submits that the petitioners have been named as an accused in FIR No.190 dated 20.09.2021, lodged for offences under Sections 34, IPC and Section 13(1) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, at Police Station Dhauj, District Faridabad, Annexure P-1 and were released on regular bail by orders dated 01.02.2022 and 09.02.2022, Annexures P-2 and P-3, respectively. Counsel submits that the petitioners have been regularly appearing before the Trial Court, but on one occasion, they could not appear because of miscommunication of the date of the proceedings when the impugned order was passed. Counsel has made a categoric assertion that neither the petitioners have misused the concession of bail nor have they been involved in any unlawful activity after the registration of FIR, Annexure P-1 and

the petitioners are prepared to appear before the Trial Court and join the proceedings.

3. Notice of motion.
4. On asking of the Court, Mr. Munish Sharma, DAG, Haryana accepts notice on behalf of the State-respondent. He has invited the attention of the Court to the criminal past of the petitioners, though he could not specifically point out as to whether the petitioners have been indulging in any unlawful activity after the registration of FIR, Annexure P-1.
5. Having heard counsel for the parties and considering the request made by counsel for the petitioners, this Court is of the view that the petitioners deserve to be given an opportunity to appear before the Trial Court. Accordingly, it is directed that in case the petitioners surrender before the Trial Court and join the proceedings and move an appropriate application within a period of three weeks from today, they shall be released on bail on their furnishing fresh bails/surety bonds to the satisfaction of the Court concerned. This will be subject to deposit of consolidated cost of Rs.10,000/- with the Poor Patient Welfare Fund, PGIMER, Sector-12, Chandigarh. The receipt for the deposit shall be furnished by the petitioners to the Trial Court and shall be a condition precedent to their release on bail.
6. Petition is disposed of.

04.09.2023

(SUVIR SEHGAL)

Kamal

JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No