

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

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2023:PHHC:124097

CRM-M-47844-2023

Date of decision: September 21st, 2023

Anurag Sharma

.....Petitioner

Versus

Parkash Yadav

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Abhishek Sindhu, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking quashing of order dated 06.06.2023 (Annexure P-2) passed by the JMIC, Hisar, vide which his bail has been cancelled and non-bailable warrant of arrests have been issued against him in case FIR No.611 dated 04.12.2019 under Sections 120-B, 328, 420 of the IPC registered at Police Station Indri, Karnal. Petitioner is also seeking quashing of order dated 29.08.2023 (Annexure P-6) passed in the above-mentioned case, whereby the petitioner had been declared as proclaimed person.

2. Learned counsel for the petitioner submits that on 16.06.2023, the petitioner met with an accident and, therefore, was advised two months' complete bed rest till 06.09.2023 because of which he was unable to appear before the Court, leading to the passing of the impugned order dated 29.08.2023 (Annexure P-6) vide which he was declared as proclaimed person. Learned counsel for the petitioner submits that petitioner is ready to appear and surrender before the trial Court, and therefore, he be protected till then.

3. Notice of motion.

4. On asking of the Court, Ms. Trishanjali Sharma,

Deputy Advocate General, Haryana, accepts notice on behalf of the State.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by the learned counsel for the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within 12 days from today and move appropriate application for grant of bail. Till then, no coercive steps shall be taken against the petitioner. The trial Court, on such application being moved, shall decide it expeditiously, in accordance with the provisions of law. However, it is made clear that in case the petitioner fails to surrender before the Court below within the above stipulated time period, this order shall be of no avail to him, thereafter.

September 21st, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No