

RAMESHWAR VERMA

... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Wazir Singh, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

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VIVEK PURI, J. (ORAL)

The petitioner has assailed the order dated 05.09.2022, Annexure P-1 passed by the learned appellate Court, vide which bail of the petitioner was cancelled, his bail and surety bonds were forfeited to the State, he was ordered to be summoned through warrants of arrest and notice to the surety was also issued.

On November 17, 2022 following order was passed:-

“Learned counsel for the petitioner has submitted that the subject matter of the present dispute was Section 138 of the Negotiable Instruments Act, 1881 and the petitioner had been regularly appearing before the learned learned Appellate Court and it was only for the first time on 05.09.2022 that he was absent because of miscommunication of the date. He submitted that on the very first date the learned Appellate Court has cancelled the bail and bonds of the petitioner. He submitted that he has specific instructions to state that the petitioner will surrender before the learned Appellate Court within a period of two weeks from today.

Notice of motion.

Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana accepts notice on behalf of State of Haryana.

In view of the aforesaid position and the undertaking given by the learned counsel for the petitioner, the petitioner is

directed to surrender before the learned Appellate Court within a period of two weeks from today. In case the petitioner appears within a period of aforesaid two weeks before the learned Appellate Court, then he shall be admitted on interim bail.

Adjourned to 09.02.2023.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has surrendered in the learned appellate Court.

In these set of circumstances, the interim order dated November 17, 2022 is made absolute. However, this order is without prejudice to any proceedings under Section 446 Cr.P.C. that may be initiated against the petitioner and the surety.

Disposed of.

09.02.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No