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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-57948-2023 (O&M)****Date of decision: November 17, 2023**

Parveen Kumar

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**Present:-** Mr. Sanjeev Kadian, Advocate for petitioner.

Mr. Krishan K. Chahal, Additional AG Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C for quashing of order dated 07.07.2023 passed by the Additional Sessions Judge, Jhajjar, vide which, his bail bonds and surety bonds were forfeited and non-bailable warrants has been issued, in case FIR No.172 dated 22.04.2022 (Annexure P-1), under Section 25 of the Arms Act, 1959 and Sections 186, 307, 353 of IPC, registered at Police Station City Bahadurgarh, District Jhajjar.

2. It is submitted by the counsel for the petitioner that the petitioner had been appearing before the trial Court in the case regularly. However, he could not appear before the trial Court on 07.07.2023 because he had noted the wrong date in the case. The petitioner does not have any intention to run away from the process of the Court. Rather, he undertakes to appear before the trial Court regularly.

3. Notice of motion.

4. Mr. Krishan K. Chahal, Additional Advocate General, Haryana, accepts notice on behalf of the respondent/State. He submits that although the petitioner does not deserve the concession of bail because he had earlier absconded from the process of law, however, the State has no objection if the petitioner appears before the trial Court.

5. The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remain present before the Court to receive the orders and punishments as are passed *qua* the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

6. In view of the above, the order dated 07.07.2023 passed by the trial Court is quashed and the present petition is allowed, subject to the petitioner appearing before the trial Court on or before 29.11.2023. It is further directed that in case the petitioner so appears before the trial Court on or before 29.11.2023 then he shall be released on bail on his furnishing bail bonds/sureties to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

November 17, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No