

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119

CRM-M-58838-2023

Date of Decision : November 22, 2023

PARVESH

-Petitioner

V/S

STATE OF HARYANA

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of the impugned orders dated 13.09.2023 and 17.10.2023, which are enclosed as Annexures P-3 and P-4 respectively with the instant petition. Vide the impugned orders (supra), the bail of the petitioner has been cancelled and his bonds have been forfeited, besides his warrants of arrest have also been issued.
2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court was neither intentional nor wilful, as he had been regularly appearing in the trial court proceedings. What led to the petitioner remaining unrepresented before the learned trial court on the relevant date, was that, the counsel representing the petitioner before the learned trial Court concerned inadvertently noted down wrong date of hearing.
3. Though the learned counsel for the petitioner has herein challenged the impugned orders (supra), however, he could not cite any

illegality or perversity therein. Therefore, he submits that the petitioner is ready and willing to join the trial proceedings, in case he is granted adequate protection.

4. Relying upon an order passed by this Court, on 11.01.2022, upon CRM-M-789 of 2022, whereby, the petitioner was granted the concession of anticipatory bail, the learned counsel for the petitioner submits that the petitioner apprehends his arrest, in case he surrenders before the learned trial Court concerned.

5. Since the learned counsel for the petitioner is not assailing the validity of the impugned orders (supra), therefore, the impugned orders are upheld. However, in case, the petitioner surrenders before the learned trial Court concerned on the date already fixed there, i.e. 11.12.2023, and thereupon, makes an application for grant of regular bail, the learned trial Judge concerned shall make an endeavour to decide the said application on the same day itself. The arrest of the petitioner shall remain stayed until 11.12.2023. However, in case, the petitioner fails to appear before the learned trial Court concerned on 11.12.2023, the protection granted hereinabove qua his arrest shall stand automatically vacated.

6. Disposed of accordingly.

November 22, 2023
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No