

3. Learned counsel for the petitioner further contends that the petitioner is ready and willing to join the proceedings and face trial and, in future, he will regularly appear on each and every date, without fail.

4. Notice of motion.

5. On the asking of the Court, Mr. Vishal Malik, DAG, Haryana, who is present in Court, accepts notice on behalf of the State-respondent and intimates that the petitioner has absented from the proceedings without any intimation leading to passing of the impugned order dated 18.07.2023 (Annexure P-2) and further that the trial against the petitioner in the aforesaid FIR is pending for 24.11.2023.

6. Heard.

7. After considering the rival contentions, it transpires that in the aforesaid FIR (Annexure P-1), the petitioner was granted the concession of bail and had been regularly appearing in the Court. It is pertinent to mention that earlier the petitioner was declared as proclaimed person in this case on 25.04.2022 but was later granted the concession of bail and even FIR No. 22 dated 03.05.2022 under Section 174-A, IPC has also been registered against the petitioner at Police Station GRP Jind, wherein, admittedly, the petitioner had been arrested and granted concession of bail.

8. Learned counsel for the petitioner has also referred to the medical report of the petitioner to show that he was suffering from

Tuberculosis since 2021 and his absence on the date fixed in the Trial Court, i.e. 26.04.2023, was not intentional but due to his ill health. However, learned counsel for the petitioner has submitted that the petitioner will regularly appear on each and every date of hearing in future without fail.

9. Keeping in view the above facts and circumstances of the case, without commenting on the merits of the case, the petition is allowed and the petitioner is directed to appear in the Trial Court/Duty Magistrate on 24.11.2023 in the aforesaid case i.e. CIS No. 868-2023, ‘*Ravi Sharma vs. State of Haryana*’ in case FIR (Annexure P-1) and in that event, he is ordered to be released on bail, on his furnishing the requisite bail bonds/surety bonds as to the satisfaction of the concerned Court.

10. The petitioner shall also furnish a specific undertaking before the trial Court that in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed, which shall be dealt with in accordance with the law.

11. Copy of this order be given under the signatures of the Bench Secretary of this Court.

23.11.2023
preeti

(SANJIV BERRY)
JUDGE

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No