

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

CRM-M-63222-2023

Date of Decision: December 18, 2023

HARSHIT ALIAS CHINU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Aditya Sanghi, Advocate for the petitioner.
Mr. Krishan K. Chahal, Addl. A.G. Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing the order dated 26.07.2023 (Annexure P-3) passed by the court of learned Chief Judicial Magistrate, Hisar whereby bail of the petitioner was cancelled, besides, forfeiture of bail/surety bonds, followed by issuance of non-bailable warrants against him.

2. Briefly stating, the petitioner was implicated in FIR No.0700, dated 25.11.2021, registered under Section 174-A of IPC, at Police Station Hisar City, District Hisar, Haryana wherein he was granted the concession of anticipatory bail vide order dated 09.12.2021 passed by learned Addl. Sessions Judge, Hisar and since then, he had been regularly appearing before the Trial Court, but for 26.07.2023, when the petitioner could not appear for having noted a wrong date of hearing, resulting into passing of order dated 26.07.2023. The said order has been impugned by way of present petition.

3. Learned counsel for the petitioner submits that the

CRM-M-63222-2023**-2-**

non-appearance of the petitioner on 26.07.2023 before the Trial Court was totally unintentional and for bona fide reason i.e. on account of having noted down wrong date as 26.12.2023 instead of 26.07.2023.

4. Notice of motion.

5. Mr. Krishan K. Chahal, Addl. A.G. Haryana who is present in Court accepts notice on behalf of the respondent-State and opposes the prayer while submitting that the non-appearance of the petitioner before the Trial Court was just to cause delay in the disposal of trial.

6. I have heard learned counsel for the parties and gone through the paper book.

7. The non-appearance of the petitioner before the Trial Court on 26.07.2023 appears to be unintentional and for bona fide reason i.e. on account of having noted down wrong date.

8. In view of the above, the present petition is allowed, subject to deposit of cost of Rs.5,000/- with Poor Patients Welfare Fund, PGIMER, Chandigarh. Order dated 26.07.2023 is set aside. Petitioner is directed to appear before the Trial Court within a period of 10 days from the date of receipt of certified copy of this order and furnish his fresh bail/surety bonds, which shall be accepted, subject to verification and till then no coercive steps to be taken against him. The petitioner shall also file an affidavit that he will continue to appear before the Trial Court, unless granted exemption specifically and categorically.

18.12.2023

Tejwinder

**(HARKESH MANUJA)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>