

130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:162960
CRM-M-63980-2023
Date of Decision: December 19, 2023

Pankaj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Choudhary, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 482 Cr.P.C., prayer is made to quash the impugned order dated 17.05.2023 (Annexure P-1) passed by learned Addl. Sessions Judge, Fatehabad, whereby bail of the petitioner is cancelled and his bail bonds were forfeited.

2. It is contended by learned counsel for the petitioner that petitioner was on bail in case arising out of FIR No.8615 dated 25.12.2020, under Section 135 of the Indian Electricity (Supply) Act, 2003, registered at Police Station I & P Police Station, Hisar, District Hisar, wherein he was facing trial before learned Addl. Sessions Judge, Fatehabad.

3. Learned counsel for the petitioner contends that though, the petitioner was regularly appearing before the Trial Court but missed one date due to misunderstanding on 17.05.2023, due to which his bail was cancelled.

4. Learned counsel for the petitioner contends that petitioner is ready to surrender before the Trial Court and he be provided necessary protection.

5. Notice of motion.

6. Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent No.1-State.

7. Learned State counsel has opposed the petition by stating that petitioner has misused the concession of bail, therefore, he can apply for anticipatory bail and prayer is made for dismissal of the petition.

8. Having regard to all the facts and circumstances, petitioner is directed to surrender before the Trial Court on or before 15.01.2024. On his such surrender, the Trial Court shall initiate the proceedings under Section 446 Cr.P.C. against the petitioner and after disposal of those proceedings, shall grant bail to the petitioner. Till the disposal of the proceedings under Section 446 Cr.P.C., the petitioner shall not be taken into custody. If in the meantime, due to warrants of arrest having been issued against the petitioner, he is sought to be arrested, he shall be admitted to interim bail to the satisfaction of the Arresting Officer.

Disposed of.

December 19, 2023

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No