

102 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-3352-2024
Date of decision :30.01.2024

Ramdas

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Mandeep Singh Khillan, Advocate,
for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

1. Prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner in criminal case having FIR No.310 dated 06.08.2019 registered under Sections 306 and 34 of IPC (Sections 420, 406 of IPC added later on) at Police Station Khedki Daula, District Gurugram.
2. Counsel for the petitioner submits that the petitioner is 70 years of age and is falsely implicated in this case and is suffering from heart problem and earlier he was granted regular bail but due to medical condition the petitioner was unable to appear in the Court on 28.04.2023 and consequently his bail bonds were cancelled and now his warrants of arrest are issued by the trial Court. Counsel for the petitioner made prayer that the petitioner be permitted to join the proceedings before the trial Court subject to payment of certain cost.

3. Present petition is contested by the State counsel, who submits that the petitioner who was earlier given benefit of regular bail, got absented

on 28.04.2023 and is now absconding. However, the State counsel has not disputed the fact that the petitioner is not declared as proclaimed offender by the trial Court till date.

4. The petitioner is aged about 70 years and as per counsel for the petitioner he is suffering from heart ailment for which he was operated. In the given circumstances, as the petitioner has shown his willingness to join the proceedings before the trial Court, it appears that the absence of the petitioner before the trial Court on the earlier date was not intentional.

5. In view of the above, without commenting on the merits of the case, the present petition is hereby disposed of with direction to the petitioner to appear before the trial Court within next 10 days and on his doing so, the trial Court is directed to release the petitioner on regular bail to his own satisfaction subject to cost of Rs.7000/- to be deposited by the petitioner with District Legal Services Authority, Gurugram.

(KARAMJIT SINGH)
JUDGE

30.01.2024
Priyanka Thakur

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