

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

**Neutral Citation No. 2024:PHHC:011064
CRM-2803-2024 in/and
CRM-M-3227-2024
Date of Decision: January 29, 2024**

Ram Singh

...Petitioner

Versus

Smt. Babita Yadav

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mayank Yadav, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

CRM-2803-2024

This is an application under Rule 3-A(i) of the Chapter 6 Part B, Volume V of the High Court Rules and Orders for grant of leave to file the present case without Number of Roll of Advocate.

Allowed as prayed for.

Main case

Learned counsel for the petitioner contends that in the criminal appeal filed against the conviction, pending before learned Sessions Judge, Narnaul, titled as “*Ram Singh v. Babita Yadav and another*” (CNR No.HRNR01-006490-2023), the petitioner could not appear before the Court on 21.11.2023, due to his ill health. He had also moved an application for exemption, but the same was dismissed. His bail was cancelled, bonds were forfeited to the State and warrants of arrest have been issued against him.

2. Learned counsel contends further that it is because of the ill health that the petitioner could not appear before the Appellate Court on 21.11.2023 and that he is ready to surrender before the Court concerned.

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3. Without issuing any notice to the respondent, lest it may delay the proceedings, this petition is hereby disposed of with a direction to the petitioner to surrender before the concerned Appellate Court on or before 15.02.2024. On his such surrender, the Appellate Court shall initiate the proceedings under Section 446 Cr.P.C. against the petitioner and after disposal of those proceedings, shall grant bail to him. 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 issuance of warrants of arrest against the petitioner, he is sought to be arrested, he shall be admitted to interim bail to the satisfaction of the Investigating Officer.

January 29, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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