

146

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5968-2024
Date of decision: 05.02.2024

Mohammad Aasim

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. V.B. Godara, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order Annexure P-3 dated 20.12.2023 whereby the bail/surety bonds of the petitioner are cancelled and the petitioner is directed to summoned through nonailable warrants in a criminal case having FIR No.42 dated 27.01.2020, under Section 379-B, 394 and later on inserted Sections 325, 328, 411 of IPC, Police Station Asauda, District Jhajjar by the Court of Additional Sessions Judge, Jhajjar.
2. Counsel for the petitioner submits that the petitioner was granted regular bail by this Court vide order Annexure P-2 and thereafter, the petitioner was regularly appearing before the trial Court but unfortunately due to some miscommunication, the petitioner did not appear before the trial Court on 20.12.2023 and consequently, the impugned order

was passed by the trial Court in a hasty manner without taking into consideration the fact that it was first default on the part of the petitioner. Counsel for the petitioner further submits that the petitioner is ready to join the proceedings before the trial Court.

3. Notice of motion.
4. Mr. Neeraj Sheoran, DAG, Haryana accepts notice on behalf of the State and submits that the petitioner jumped the bail on 20.12.2023 and consequently, the trial Court rightly passed impugned order Annexure P-3. However, the State counsel has not refuted the fact that it was first default on the part of the petitioner who was earlier granted regular bail by this Court vide order Annexure P-2.
5. I have considered the submissions made by counsel for the parties.
6. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to appear before the trial Court within next 10 days and on his doing so, the petitioner is directed to be released on regular bail by the said Court to its own satisfaction subject to cost of Rs.5,000/- to be deposited by the petitioner with the District Legal Services Authority concerned.
7. The petition stands disposed of in aforesaid terms.

05.02.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No