

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CRM-M-11478-2024 (O&M)
Date of Decision: 04.03.2024

SURENDER SINGH

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Pawan Attri, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G. Haryana.

MANISHA BATRA, J. (Oral)

Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner in case FIR No. 344 dated 08.08.2022, under Sections 323, 376, 406, 498-A, 506, 511 registered at Police Station Sadar Pehowa, District Kurukshetra. Subsequently, challan was filed under under Sections 323, 406, 498-A, 506 of IPC.

The aforementioned FIR has been registered against the petitioner on the basis of written complaint filed by Surinder Kaur who is wife of the petitioner. She is making allegations of her being subjected to cruelty on account of demand of dowry, criminal intimidation and misappropriation of *istridhan* belonging to her. Offences under Section 376 of IPC is stated to have been deleted later on.

It is submitted by learned counsel for the petitioner that he was granted bail on 11.07.2023. After presentation of challan, the case was adjourned to 14.09.2023 to frame charge. In the meanwhile he had to go to

Germany for some official work and now he is a permanent resident of Germany.

It is also submitted that the bail of the petitioner was cancelled due to his non appearance and bonds were forfeited to the State vide order dated 14.09.2023 (Annexure P-4). Now proceedings under Section 82 Cr.PC have been initiated against him and proclamation is ordered to be issued against him vide order dated 17.02.2024 (Annexure P-5).

It is submitted by learned counsel for the petitioner that his absence was not intentional but was bona fide as due to some official commitment, he could not appear on the date as fixed by the learned Trial Court. He has placed on record copies of order passed by learned Trial Court and a perusal of the same reveals that after cancellation of his bail, notice under Section 446 of CrPC was issued upon his surety and fine of Rs.40,000/- was already imposed upon her due to the reason that she had stated that she did not know about whereabouts of the present petitioner. Petitioner has remained absent with effect from 14.09.2023 till date. The reasons which have been given by him for his absence during the intervening period are not at all reasonable and no plausible explanation has come on record to show his absence

In view of above, I do not see any reason allow the present petition and accordingly, the same is dismissed.

04.03.2024

Deepak Patwal

**(MANISHA BATRA)
JUDGE**

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO