

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 13397 of 2023 (O&M)
Date of Decision: 06.03.2024**

Manoj Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harwinderjit Singh Sandhu, Advocate for
Mr. Dheeraj Narula, Advocate, for the petitioner.

Mr. Gurmeet Singh, Assistant Advocate General, Haryana
for respondent No. 1.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of the order dated 21.11.2022 (Annexure P-18) passed by the learned JMIC, Sirsa, in complaint case bearing No. NACT/879 of 2018 dated 02.07.2018, titled “*HDFC Bank Versus Manoj Kumar*”, whereby the bail granted to the petitioner has been cancelled, while issuing Non-Bailable warrants of arrest against him; further for quashing of the order dated 13.02.2023 (Annexure P-20) passed by learned JMIC, Sirsa, whereby fresh non-bailable warrants were issued against the petitioner followed by penalty of Rs. 50,000/-.

[2] On 13.04.2023, Co-ordinate Bench passed the following order:-

On the last date of hearing, following order was passed:-

“The challenge in the present petition is to the impugned order dated 21.11.2022 (Annexure P-18) passed by the court of learned Judicial Magistrate Ist

Class, Sirsa in complaint bearing No.NACT/879 of 2018 titled as “HDFC Bank v/s Manoj Kumar” vide which the bail of the petitioner has been cancelled and his surety bonds have also been cancelled and Non-Bailable Warrants have been issued against him.

Learned counsel for the petitioner contends that he has noted down a wrong date of hearing, therefore, the petitioner could not appear on 21.11.2022, as a consequence of which Non Bailable Warrants have been issued against him by the trial court.

Notice of motion.

Ms. Gaganpreet Kaur, AAG, Haryana puts in appearance and accepts notice on behalf of respondent-State and seeks time to file status report/reply.

Adjourned to 13.04.2023.

Let the needful be done before the next date of hearing with an advance copy to the counsel for the petitioner.

Notice be also served upon respondent no.2 for the date fixed.

Process Dasti only.”

As per office report, dasti notice issued to respondent No.2 has been received back served. However, none has put in appearance on behalf of respondent No.2.

Learned counsel for the petitioner submits that the petitioner shall appear before the trial Court and may be granted interim protection.

Let the petitioner appear before the trial Court within a period of one week and on his appearance, he may be released on interim bail on his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court, till the next date of hearing.

Adjourned to 14.08.2023.”

[3] At the outset, learned counsel for the petitioner submits that the petitioner has been convicted by the Trial Court, thereby rendering the present petition as infructuous.

[4] **Disposed off as infructuous.**

March 06, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>