

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-13052 of 2024 (O&M)
Date of Decision: 02.04.2024

Manpreet @ Dhona

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Rajesh Lamba, Advocate
For the petitioner.

Mr.Neeraj Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking setting aside of order dated 05.07.2023 (Annexure P-3) passed by the Court of Additional Sessions Judge, Fatehabad vide which bail order of petitioner was cancelled and the petitioner was directed to be summoned through non-bailable warrants of arrest, on account of his absence in a criminal case having FIR No. 17 dated 09.01.2018, registered under Sections 120-B, 341, 379-A, 395 and 201 IPC at Police Station Sadar Rattia, District Fatehabad.

2. The counsel for the petitioner submits that the petitioner was granted regular bail by the Court concerned vide order dated 18.04.2018 (Annexure P-2) and thereafter petitioner was regularly attending the Court. That the petitioner is a mason by profession and prior to 05.07.2023 petitioner suffered injury while he was doing construction work and as such failed to appear before the Court concerned on the date fixed i.e. 05.07.2023.

It is further submitted that it was first default on the part of the petitioner and

the trial Court without adopting any other means passed harsh order dated 05.07.2023 (Annexure P-3) in a mechanical manner. It is further submitted that the petitioner is ready and willing to join the proceedings before the trial Court.

3. Notice of motion.

4. Mr. Neeraj Sheoran, DAG Haryana accepts notice on behalf of State and submits that there is no illegality or perversity in the impugned order (Annexure P-3).

5. The petitioner who was granted regular bail vide order dated 18.04.2018 (Annexure P-2) got absented on 05.07.2023 and consequently impugned order (Annexure P-3) was passed by the trial Court. The petitioner has showed his willingness to join the proceedings before the trial Court in order to avoid further delay in trial.

6. In light of above, without expressing any opinion on the merits of the case, the present petition is hereby disposed of with direction to the petitioner to appear before the trial Court on or before the next date fixed in the trial 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 payment of costs of Rs.7000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

02.04.2024

Jiten

(KARAMJIT SINGH)
JUDGE

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