

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

Neutral Citation No. **2024:PHHC:044359**
CRM-M-16133-2024
Date of Decision: April 03, 2024

Rajesh Kumar @ Baba

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sarfraj Hussain, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way this petition under Section 482 Cr.P.C., petitioner prays to quash the order dated 12.03.2024 (Anneuxre P-3) passed by learned Addl. Sessions Judge, Sonipat, whereby bail of the petitioner was cancelled and warrants of arrest were directed to be issued during proceedings of case FIR No.161 dated 10.05.2022, under Sections 120-B, 308, 506 read with Section 34 of IPC, registered at Police Station Barauda.

2. Learned counsel for the petitioner contends that petitioner was on bail and was regularly appearing before the Court. However, he could not appear on 12.03.2024 due to his sickness, as he was admitted in Metro City Hospital. Learned counsel has drawn attention towards Annexure P-4, as per which petitioner was admitted in the hospital on 11.03.2024 and discharged on 13.03.2024. Learned counsel further submits that petitioner is ready to surrender before the Trial Court.

3. Notice of motion.

4. Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent-State.

5. Let the petitioner surrender before the Trial Court on or before 10.04.2024. On his such surrender, the Trial Court shall initiate the proceedings under Section 446 Cr.P.C. and dispose of the same keeping in view the contention as raised in this petition regarding his sickness on the date of his absence and after disposal of those proceedings, the petitioner shall be admitted to bail. Till the disposal of the proceedings under Section 446 Cr.P.C., petitioner shall not be taken into custody. If in the meantime, petitioner is sought to be arrested on account of warrants of arrest having been issued against him, he shall be admitted to interim bail to the satisfaction of the Arresting Officer.

Disposed of.

April 03, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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