

CRM-M No.32350 of 2018 (O&M)

2024:PHHC:068504



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

265

**CRM-M No.32350 of 2018 (O&M)
Date of Decision: 15.05.2024**

DINESH KUNDRA**.....Petitioner(s)****Vs****ROHTASH SINGH****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: None for the petitioner.

Mr. Akshay Dahiya, Advocate
for the respondent.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition filed under Section 482 Cr.P.C., prayer has been made for quashing of order dated 02.04.2018 passed by the Sessions Judge, Faridabad, whereby the bail granted to the petitioner was cancelled and his bail bonds/surety bonds have been forfeited to the State followed by issuance of warrants of arrest against him.

[2]. On 31.07.2018, following order was passed by this Court:-

“Learned counsel for the petitioner contends that it was on account of the petitioner having met with an accident that he could not appear before the learned Trial Court and could not arrange for the balance amount of ₹10 lakhs as per the compromise. Learned counsel submits that the petitioner shall try to make good the balance payment in the shortest possible time.

Notice of motion to the respondent for 16.10.2018.

In the meanwhile non-bailable warrant be not executed.

The petitioner is directed to appear before the learned Lower Appellate Court and on doing so, the learned Lower Appellate Court shall

release the petitioner on interim bail subject to his furnishing bail and surety bonds to its satisfaction.”

- [3]. Perusal of the record shows that since then, the matter has been taken up for actual hearing seven times, however the petitioner has appeared through his counsel only twice. There is nothing on record to suggest that any effort has been made on behalf of the petitioner to comply with the direction/undertaking noted in the aforesaid order dated 31.07.2018 as regards making good the balance payment.
- [4]. Furthermore, learned counsel representing the respondent informs that the petitioner is not appearing before the First Appellate Court and he has even been declared as proclaimed person.
- [5]. In view of aforesaid, finding no merit in the present petition and as such the same is dismissed.

May 15, 2024
Atik

Whether speaking/reasoned
Whether reportable

(HARKESH MANUJA)
JUDGE

Yes/No
Yes/No