

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CRM-M-18350-2024
Date of Decision.:18.04.2024

Abhishek @ Sonu

Petitioner

Vs.

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Ms. Monika Tanwar, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C. prayer is made to quash order dated 29.02.2024 (Annexure P-3), whereby bail of the petitioner was cancelled and bonds were forfeited and warrants of arrest were directed to be issued against him during the proceedings of Sessions Case No.286 of 2021 arising out of FIR No.341 dated 10.10.2020 registered at Police Station Rai, District Sonipat under Sections 379-A, 34 of the IPC, 1860 & 25-54-59 of Arms Act, 1959, pending in the Court of learned Additional Sessions Judge, Sonipat.

2. Learned counsel for the petitioner contends that petitioner was on bail and was regularly appearing before the Court concerned. However, on 29.02.2024, he could not appear before the trial Court due to noting wrong date and that his bail was cancelled in a mechanical manner. Learned counsel further contends that petitioner is ready to surrender before the Trial Court and that he be provided necessary protection.

3. Notice of motion.

4. Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent- State.
5. Learned State counsel submits that petitioner is involved in 08 cases and that in the present case, out of 21 witnesses cited by the prosecution, 20 have already been examined.
6. Perusal of the impugned order dated 29.02.2024 would reveal that it is on that day bail of the petitioner was cancelled and warrants of arrest were directed to be issued against him.
7. This petition is hereby disposed of with the direction to the petitioner to surrender before the Trial Court concerned on or before 03.05.2024. On his such appearance, the Trial Court will initiate proceedings under Section 446 Cr.P.C. against the petitioner and after disposal thereof, shall admit the petitioner to bail.
8. It is made clear that till the disposal of 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 being issued against him, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

(DEEPAK GUPTA)
JUDGE

April 18, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No