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

CRM-M-20873-2024(O&M)

Date of Decision: 24.09.2024

Raju

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

**Present : Mr. Mohit Kakkar, Advocate
for the petitioner.**

Ms. Jasleen Chahal, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Cr.P.C. with a prayer to quash the order dated 16.02.2024 (Annexure P-1) passed by Sessions Judge, Sirsa, whereby the bail bonds and surety bonds furnished by the petitioner stands cancelled and forfeited to the State.

2. While issuing notice of motion on 26.04.2024, this Court had noticed the following contentions:-

"Petitioner is facing trial in FIR No.75 dated 01.03.2020 registered for offence punishable under Section 429 IPC and Section 3 of the Haryana Gouvansh Sanrakshan & Gausamvardhan Act, 2015 at P.S.Dabwali Sadar, District Sirsa, Haryana. It is being claimed that after the petitioner was admitted to bail he was regularly appearing before the trial Court. However, on the fateful day i.e. 16.02.2024 owing to farmers agitation there was a call of Bharat Band and inter-state Border between Punjab & Haryana was sealed and closed thus the petitioner could not travel from his place of residence i.e. Bathinda to Sirsa due to which he absented and the order dated 16.02.2024 was passed. He



submits that he came to know about the same only on 05.03.2024. On 05.03.2024 the matter was adjourned to 19.04.2024 and the petitioner was ordered to be summoned through warrants of arrest. However on 19.04.2024 the Court was on casual leave. The file was taken up on 12.04.2024 and the matter now stands adjourned for 22.05.2024. He further submits that the petitioner is ready to appear before the trial Court. May do so on the next date of hearing i.e. 22.05.2024.”

3. Learned counsel for the petitioner contends that in compliance of interim order dated 26.04.2024, passed by this Court, the petitioner has appeared before the trial Court and has joined the trial. He further submits that the petitioner shall appear before the trial Court on each and every date of hearing and shall not remain absent during trial, without seeking prior permission of the trial Court.
4. On the other hand, learned State counsel has opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had intentionally stayed away from the Court proceedings and the petition is liable to be dismissed.
5. I have heard learned counsel for the parties and perused the record.
6. In the present case, after passing of the interim order dated 26.04.2024, the petitioner is continuously appearing before the trial Court. Even the petitioner has not misused the concession of interim bail granted to him, in any manner. Consequently, the present petition is allowed and the interim order dated 26.04.2024, passed by this Court is made absolute. The petitioner shall continue to appear before the trial Court on each and every date of hearing and shall not remain absent from the trial Court proceedings, without prior permission of the trial Court.

24.09.2024.
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(N.S.SHEKHAWAT)
JUDGE

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