



CRM-M-26159-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-26159-2024

Date of decision : May 23, 2024

Amandeep

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Dhiraj Jindal, Advocate, for the petitioner
Mr. Bhupender Singh, DAG, Haryana

KULDEEP TIWARI,J. (ORAL)

1. The present petition has been filed seeking quashing of impugned order dated 2.2.2024 (Annexure P-4) passed by the learned SDJM, Ratia, whereby, the bail and surety bonds of the petitioner has been cancelled and non-bailable warrants has been issued in case FIR No.326, dated 28.12.2020, registered under Sections 380 and 457 IPC, and under Section 411 IPC, added later on, at Police Station Ratia, District Fatehabad.

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail, and since then the petitioner was regularly appearing before the learned trial Court concerned, whereas, owing to non-appearance on dated

**CRM-M-26159-2024****2**

2.2.2024, the learned trial Court concerned, proceeded to cancel his bail bonds, and non-bailable warrants were issued against the present petitioner to secure his presence. Thereafter, due to non-execution of non-bailable warrants, proclamation proceedings were initiated against the petitioner on dated 10.04.2024 (Annexure P-5).

3. He further submits that petitioner has no intentions to challenge the legality of the order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to him.

4. *Per contra*, learned State counsel opposes the grant of relief (*supra*), to the present petitioner.

5. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

6. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioner, without going into the legality of the impugned order, this Court directs the petitioner to surrender before the learned trial Court concerned within 15 days from today.

7. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and furnishes fresh bail and surety bonds, the same shall be accepted by the learned trial Court concerned, however, subject to its satisfaction, and the petitioner shall be released on regular bail.



CRM-M-26159-2024

3

8. In the meanwhile, the arrest of the petitioner shall remain stayed.
9. However, in case, the petitioner fails to appear before the learned trial Court concerned within 15 days from today and furnish bail and surety bonds, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without any further reference to this Court.
10. **Disposed of accordingly.**

May 23, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? *Yes/No*
Whether Reportable ? *Yes/No*