



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

271

CRM-M-28672 of 2024
Date of Decision: 23.10.2024

Sundeshwar Roy

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Neetu, Advocate with
Mr. Sahil Goel, Advocate for the petitioner.
Mr. Surender Singh Pannu, Addl.AG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

Through the instant petition filed under Section 482 Cr.P.C, the petitioner seeks exemption to appear before the Police Station concerned on the first Monday of every month in case FIR No.0396 dated 01.10.2021 under Sections 420,467,468,471 IPC registered at P.S Pinjore.

Reply by way of affidavit dated 05.09.2024 of Joginder Sharma, HPS, Assistant Commissioner of Police, Panchkula has been filed, which is taken on record.

Learned counsel for the petitioner would submit that Hon'ble Court granted the bail to the petitioner on certain conditions vide order dated 11.09.2023.

The petitioner was required to furnish a Fixed Deposit Receipt (FDR) of Rs.2 lacs,



which would be deposited with the trial Court but petitioner failed to appear in court without a valid reason. Additionally, the petitioner was directed to appear at the concerned Police Station on 1st Monday of every month and to submit a written statement declaring no involvement in any other criminal case. Subsequently, in compliance to order dated 11.09.2023, the petitioner has deposited the FDR of Rs.2 lacs with the trial Court and is appearing on each and every date. However, due to petitioner keeping bad health, now is not in position to travel every month from Bihar as he is 52 years old man and is thus seeking his exemption.

Learned State counsel submits that there is every possibility of the petitioner not cooperating with the investigating agency in another FIR No.271 dated 13.07.2021 registered against him for the offence under Sections 65,66,66C,66D of IT Act, 2000 at P.S Chandi Mandir, District Panchkula.

Considering the peculiar facts and circumstances of the case in hand and taking into account medical record of the petitioner, which is annexed as Annexure P-4 and also the fact that he is attending the trial Court proceedings on each and every date without any default in the present FIR No.0396 dated 01.10.2021 under Sections 420,467,468,471 IPC registered at P.S Pinjore also added with the fact that FDR amounting to Rs.2 lacs also stands deposited with the trial Court, this Court does not find any valid reason for his appearance on each and every Monday at the Police Station Pinjore as well as Police Station Chandi Mandir.

In these circumstances, personal appearance of the petitioner is exempted before the Police Station Chandi Mandir and Police Station Pinjore in FIR No.0396 dated 01.10.2021 under Sections 420,467,468,471 IPC registered at P.S Pinjore and FIR No.271 dated 13.07.2021 registered against him for the



offence under Sections 65,66,66C,66D of IT Act, 2000 at P.S Chandi Mandir,
District Panchkula.

It is made clear that this order shall not be a condition precedent of
claiming any kind of exemption by the petitioner before the trial Court.

With these observations, petition stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

23.10.2024
manoj

- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No