



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

Sr. No.117

CRM-M-30459-2024

Date of decision : 25.06.2024

Lovepreet

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Kuldeep Singh Siwach, Advocate, for the petitioner.

Mr. Ravi Pratap Singh, DAG, Haryana.

KIRTI SINGH, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing the impugned order dated 19.09.2023 (Annexure P-15) vide which bail of the petitioner has been cancelled and bail bonds/surety bonds of the petitioner have been forfeited in case FIR No.83 dated 04.03.2020 under Section 25 of Arms Act, registered at Police Station Bhuna, District Fatehabad (Annexure P-15).

2. Learned counsel for the petitioner submits that the petitioner was granted concession of bail in afore-stated FIR by the learned trial Court and he was regularly appearing before the trial Court.

3. He submits that the petitioner and the learned counsel had noted wrong date of hearing, hence they could not appear on the date fixed before the trial Court i.e. 19.09.2023 and thus, bail granted to him was cancelled by the trial Court and the bail bonds/surety bonds were also cancelled. He submits that anticipatory bail filed by the petitioner was also



dismissed. He submits that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions as may be imposed upon them by the trial Court.

4. Notice of motion to the official respondents at this stage.

5. At asking of the Court, Mr. Ravi Pratap Singh, DAG, Haryana and accepts notice on behalf of respondent-State.

6. Heard.

7. On hearing learned counsel for the petitioner and perusing the record, it is apparent that the petitioner was granted bail by the trial Court, however due to inadvertent mistake in noting the date of hearing, he could not appear before the trial Court on one date i.e. 19.09.2023 and on account of the same, his bail bonds/surety bonds were cancelled. The petitioner is ready to appear before the trial Court and face the trial.

8. This Court finds that no useful purpose will be served by sending the petitioner in custody when he was continuously appearing before the trial Court but could not appear on one date. The reason for which they have given that they noted a wrong date and now they are ready to join the proceedings.

9. In view of the above, the present petition is disposed of. Order dated 19.09.2023 (Annexure P-15) is hereby set aside subject to payment of cost of Rs.5,000/- by the petitioner to be deposited with the Poor Patient Welfare Fund, PGIMER Chandigarh within a period of 10 days from today. The petitioner after depositing the cost as stated above would appear before the trial Court on or before the date fixed i.e. 23.07.2024 and file appropriate application along with receipt of payment of cost. The trial Court would

release the petitioner on bail on his furnishing fresh bail bonds to its satisfaction. No coercive action would be taken against the petitioner till 23.07.2024. In case, the petitioner failed to appear before the trial Court on or before the date fixed i.e. 23.07.2024 or failed to deposit the cost as stated above, this order would be of no avail to the petitioner.

(KIRTI SINGH)
JUDGE

25.06.2024
Kavita Nain

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