



CRM-M-31288-2024

-1-

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

CRM-M-31288-2024

Date of Decision: 05.07.2024

Balbir Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Krishan Singh, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 05.06.2024 passed by learned Additional Sessions Judge, Bhiwani in SC No.285 of 2019 arising out of FIR No.272 dated 17.05.2018 under Section 3(2) of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 and Section 406, 420 IPC registered at Police Station Bhiwani City, District Bhiwani, whereby the bail bonds of the petitioner has been cancelled and forfeited to the State and warrant of arrest of the petitioner has been issued for 16.07.2024.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR. He submits that petitioner was arrested and was granted bail by the learned trial Court on 31.08.2018 and thereafter, he was regularly appearing before the Court. He submits that due to wrong date noted by the petitioner, he could not appear before the Court on 05.06.2024 and on account of the same, his bail was cancelled and bail bonds were forfeited to the State and he was summoned through non-bailable warrants. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the



CRM-M-31288-2024

-2-

trial Court and abide by all the terms and condition, if any imposed by this Court.

3. Notice of motion.

4. Mr. Ramesh Kumar Amabavta, AAG, Haryana accepts notice on behalf of the State.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that on 05.06.2024, the petitioner remained absent on account of wrong noting of the date and due to his non-appearance, his bail was cancelled and bail bonds/surety bonds were forfeited to the State. In these circumstances, when the petitioner is ready to join the proceedings and to face the trial, the order dated 05.06.2024 is set aside subject to payment of Rs.10,000/- as cost to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh by the petitioner within a period of one week from today.

7. The petitioner is directed to appear before the trial Court on 16.07.2024, the date already fixed before it and produce the receipt of abovesaid cost alongwith appropriate application and the trial Court would grant him bail on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest till 16.07.2024.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail and the order dated 05.06.2024 will come in force.

05.07.2024
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Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No