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

CRM-M-33036-2024

Date of Decision: 15.07.2024

Nandlal

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**Present:** Mr. Divyam Singh, Advocate for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 23.05.2024 (Annexure P-4) vide which bail has been cancelled and further to restore the surety bonds of the petitioner and he be allowed to appear on the same very bail bonds before the Ld. JMIC, Panipat in complaint bearing No.NACT-1144-2020 titled as Jitender Kumar Vs. Nand Lal, dated 23.07.2020 under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner submits that earlier the bail was granted to the petitioner vide order dated 17.08.2023 by the Ld. trial Court. Thereafter, an application for exemption (Annexure P-3) has been filed on the ground that petitioner had gone to Haridwar but the Ld. JMIC dismissed the same vide impugned order dated 23.05.2024 (Annexure P-4), bail of the petitioner was cancelled. He further submits that the petitioner is ready to appear before the Ld. trial Court. Learned counsel for the petitioner has placed reliance upon judgment passed by a co-ordinate Bench of this Court in ***Kiran Bakshi Vs. State of Haryana (P&H): Law Finder Doc Id#1472077*** to contend

that it would not be unjustified to protect him from being arrested, if accused shows his sincere intention and desire to appear before the Court.

- 3. Notice of motion.
- 4. Mr. Karan Sharma, DAG, Haryana accepts notice on behalf of the State.
- 5. Heard.
- 6. Keeping in view the fact that earlier the petitioner was granted concession of bail by the Ld. Trial Court and without commenting upon the merits of the case, the present petition is allowed and impugned order is set aside subject to deposit of costs of Rs.10,000/- to be deposited with the Poor Patients Welfare Fund, PGIMER, Chandigarh. The petitioner is directed to surrender before the concerned Court within a period of 15 days from today. In case of doing so, he shall be released on bail on furnishing of fresh bail bonds and surety bonds as per terms of the order dated 17.08.2023.
- 7. The concerned Court shall give notice to the petitioner under Section 446 Cr.PC and after getting reply, shall pass an appropriate order regarding previous bail bonds/surety bonds.
- 8. The trial Court shall accept the bonds/sureties of the petitioner, only after he produces before that Court receipt of having deposited the costs, as ordered above.
- 9. Petition stands disposed of.

15.07.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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