

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

Date of Decision: 01.08.2024

...Respondent

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. He further submits that the petitioner was earlier granted the concession of regular bail by the Court of Sessions Judge, Narnaul, vide order dated 18.02.2022 (Annexure P-2). Learned counsel further contends that after grant of bail, the petitioner has been regularly appearing before the trial Court. However, due to some labour work, he could not appear on 06.05.2024 and due to communication gap, his counsel could not move an application for exemption from personal appearance. As a consequence, the warrants of arrest were issued against the petitioner and the



matter was listed for 17.05.2024. When the petitioner came to know about the issuance of warrants against him, he surrendered before the trial Court and is in custody since 30.05.2024. Learned counsel further submits that the petitioner shall appear on each and every date of hearing and shall not remain absent during trial, without prior permission of the Court.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that four other similar cases have been registered against the petitioner and the petitioner may abscond from the process of law. Thus, the present petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was admittedly granted the concession of regular bail by the Sessions Court on 18.02.2022 and he was regularly appearing before the trial Court. However, on one date, the petitioner could not appear and non-bailable warrants were ordered to be issued against him. Now the petitioner is in custody for the last more than two months and no purpose will be served by keeping him behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the



facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report on every 1st and 3rd Monday in English calander month to the SHO, P.S. City, Narnaul, till the conclusion of the trial and the SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st and 3rd Monday to the SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.

(N.S.SHEKHAWAT)
JUDGE

01.08.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No