



CRM-M-39664-2024

-1-

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

**CRM-M-39664-2024
Date of decision: 31.08.2024**

ASHOK**....Petitioner**

Versus

STATE OF HARYANA**....Respondent****CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY****Present:-** Mr. Deepak Kumar, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been moved by the petitioner seeking quashing of the order dated 01.05.2024 (Annexure P-4) passed by learned Additional Sessions Judge, Fatehabad whereby the bail bonds of the petitioner was forfeited and arrest warrant was issued against the petitioner.

2. Learned counsel for the petitioner *inter alia* contends that in compliance of the order dated 14.08.2024, petitioner appeared before the learned trial Court on 17.08.2024 and furnished requisite bail bonds, surety bonds and also deposited the costs as imposed by this Court and placed on record copy of order dated 17.08.2024 passed by learned Additional Sessions Judge, Fatehabad. He contends that since the petitioner has joined the trial Court proceedings, as such the order dated 01.05.2024



CRM-M-39664-2024

-2-

(Annexure P-4) passed by learned learned Additional Sessions Judge, Fatehabad whereby the bail bonds of the petitioner was forfeited and arrest warrant was issued against the petitioner, be quashed.

3. Learned State counsel on instructions from S.I. Balwant has not disputed the aforesaid factual matrix of the case and submits that petitioner appeared on 17.08.2024 before the learned trial Court and furnished requisite bail bonds.

4. Heard.

5. During the course of the proceedings, following order was passed on 14.08.2024:-

“ By way of present petition filed under Section 482 Cr.P.C., the petitioner has sought quashing of the order dated 01.05.2024 (Annexure P-4) passed by the learned Additional Sessions Judge, Fatehabad, whereby the bail bonds of the petitioner is forfeited and the arrest warrant has been issued against the petitioner.

2. Learned counsel for the petitioner, inter alia, contends that the petitioner after having been granted concession of bail in FIR No. 498 dated 26.09.2016 registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, at P.S. Sadar Fatehabad, District Fatehabad (Annexure P-1) vide order dated 21.10.2016 (Annexure P-2) had been regularly appearing in the trial Court on each and every date of hearing but on 01.05.2024, he could not appear in Court on account of having wrongly noted the date leading to the learned trial Court cancelling the bail and issuance of non-bailable warrants of arrest against the petitioner. He further contends that the case is now pending for 21.09.2024 for the appearance of the petitioner. He submits that the petitioner is ready to appear in the trial Court and face the trial and in future, he will regularly appearing in Court on each and every date of hearing without fail.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-



CRM-M-39664-2024

-3-

respondent and has not disputed the factual matrix of the case.

5. Adjourned to 31.08.2024.

6. In the mean while, the petitioner is directed to appear before the learned Trial Court/Judge on duty on or before 23.08.2024 and in that event, learned Trial Court/Judge on duty will admit the petitioner on interim bail subject to furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Judge on duty.

7. The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.

8. The petitioner is also burdened with cost of Rs.2500/- to be deposited with District Legal Services Authority, Fatehabad.”

6. Keeping in view the fact that the petitioner has already appeared on 17.08.2024 before the learned trial Court and furnished requisite bail/surety bonds consequent to the order dated 14.08.2024, passed by this Court, the present petition is allowed and order dated 01.05.2024 (Annexure P-4), passed by learned Additional Sessions Judge, Fatehabad, the bail bonds of the petitioner was forfeited and arrest warrant was issued against the petitioner is hereby set aside and the interim bail granted vide order dated 14.08.2024 is hereby confirmed.

7. The Petition stands disposed of.

(SANJIV BERRY)
JUDGE

31.08.2024
puneet

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |