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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-42908-2024 (O&M)
Date of Decision:- 25.09.2024

JAL KARAN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. S.S. Mor, Advocate for the petitioner.
Ms. Gaganpreet Kaur, DAG Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 CrPC/
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
200	17.04.2018	279, 337 IPC (338 IPC added later on)	City Bahadurgarh, District Jhajjar

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 06.09.2024 passed by this Court, the petitioner has appeared in the Court and furnished his requisite bail bonds. He has placed on record copy of the order dated 09.09.2024, passed by learned Sub Divisional Judicial Magistrate, Bahadurgarh, whereby the petitioner has been admitted on interim bail by the learned trial Court.
3. Learned State counsel has not disputed the aforesaid factum.



4. Heard.

5. During the course of proceedings on 06.09.2024, the following order was passed.

3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, after having been granted bail in the aforesaid FIR, had been regularly appearing before the learned Trial Court, however, on 17.05.2023, he could not appear in the learned Trial Court on account of having wrongly noted the date, leading the learned Trial Court to pass the order dated 17.05.2023 (Annexure P-2), cancelling the bail of the petitioner and ordering the petitioner to be summoned through non-bailable warrants of arrest.

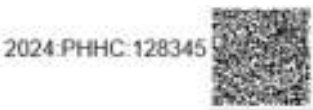
4. It is further contended by learned counsel for the petitioner that the absence of the petitioner was not intentional and the petitioner is ready to appear before the learned Trial Court and face the trial. He contends that, if granted the concession of bail, the petitioner will regularly appear before the concerned Court on each and every date of hearing, without fail, and will seek prior exemption from the Court in accordance with the law in case of extreme exigency.

5. Notice of motion, returnable for 25.09.2024.

6. On the asking of the Court, Mr. Ramender Singh Chauhan, AAG, Haryana, who is present in Court, accepts notice and, on instructions from ASI Anurag, submits that the matter is pending before the learned Trial Court for 15.03.2025 and till date the petitioner has not been declared as proclaimed person. He prays for time to file reply in the matter.

7. Keeping in view the above facts and circumstances, the petitioner is directed to appear before the learned Trial Court/Duty Magistrate/Judge on duty within a period of 07 days from today and in that event, learned Trial Court/Duty Magistrate/Judge on duty will admit the petitioner on interim bail subject to its satisfaction on his furnishing requisite bail/surety bonds.

8. The petitioner shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed.



9. *However, the petitioner is burdened with cost of Rs. 2000/-, to be deposited with the District Legal Services Authority, Jhajjar.”*

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 06.09.2024 passed by this Court, the present petition is allowed. The interim bail granted vide order dated 06.09.2024 is hereby confirmed and the order dated 17.05.2023 (Annexure P-2) passed by learned Sub Divisional Judicial Magistrate, Bahadurgarh is set aside

7. The petition stands allowed.

8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

25.09.2024
S.Sharma(syr)

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