



CRM-M-45856-2024

1

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

(317)

CRM-M-45856-2024

Date of Decision : 10.12.2024

Shokat

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Salman Ahmed, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Section 528 of BNSS, 2023, challenge is thrown to the impugned order dated 03.01.2024 (Annexure P-2), passed by the learned Additional Sessions Judge, Gurugram, as well as orders dated 18.03.2024 and 28.05.2024, (Annexures P-3 and P-4), in case No.CIS No.SC-312-2023, titled as 'State of Haryana vs. Shokat etc.', arising out of FIR No.288, dated 13.11.2010, under Sections 307, 120-B and 34 of the IPC, 1860, and under Section 25 of the Arms Act, 1959, and under Sections 4A/8, 2/80 of CS Act, registered at Police Station Manesar, District Gurugram, whereby, the bail of the petitioner has been cancelled, the personal bonds furnished by the petitioner were forfeited to the State and non-bailable warrants of arrest has been issued against the present petitioner.

2. Learned counsel for the petitioner submits, that the petitioner was earlier granted the relief of regular bail by learned Additional Sessions Judge, Gurugram, vide order dated 21.04.2023 (Annexure P-1), and the petitioner was continuously appearing before the learned trial Court concerned. On account of non-appearance of the petitioner on 03.01.2024, his personal bail bonds were forfeited to the State and non-bailable warrants were issued against him.

3. Though, the learned counsel for the petitioner has made efforts to challenge the legality of the order (supra), passed by the learned Additional



CRM-M-45856-2024

2

Sessions Judge, Gurugram, however, he could not succeed in his efforts. He further submits that the petitioner is ready and willing to surrender before the learned trial Court concerned. Thereafter, he made a request that direction be passed upon the learned trial Court concerned, to decide the regular bail application of the petitioner, on the same day.

4. The innocuous and *bona fide* prayer made by the learned counsel for the petitioner is accepted. However, the petitioner is burdened with a cost of Rs.5,000/-, to be deposited with the District Legal Services Authority, concerned.

5. The petitioner is directed to cause appearance, within 10 days from today, before the learned trial Court concerned. In case, the petitioner cause appearance, and files an application for regular bail, before the learned trial Court concerned, the latter shall decide the bail application, on the same day itself, after giving an adequate opportunity of hearing to the parties concerned.

6. The arrest of the petitioner, in pursuance of the non-bailable warrants issued against him, is stayed, for the next 10 days. In case, the petitioner fails to cause appearance within the next 10 days, the interim protection granted by this Court, would *ipso facto* be vacated, without any further reference to this Court.

7. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

December 10, 2024
Manpreet

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