

2024:PHHC:141780



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

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CRM M-51421 of 2024
Date of Decision: 23.10.2024

Mohit @ Lagri @ Mohit Soni ...Petitioner
Versus
State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Himanshu Joshi, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of BNSS with a prayer to grant a regular bail in case FIR No.732 dated 18.11.2021 registered under Sections 148, 323, 341, 379-B, 427, 506 read with Section 149 of IPC (Annexure P-1) at Police Station City Narnaul, District Mahendergarh, Haryana.
2. Learned counsel for the petitioner contends that the petitioner was arrested in the present case and vide order dated 31.05.2022 (Annexure P-2) passed by the Court of Sessions Judge, Narnaul, the petitioner was ordered to be released on bail. After grant

of bail, the petitioner was regularly appearing before the trial Court on each and every date of hearing. However, on 03.07.2024, the petitioner could not appear before the trial Court due to some communication gap between him and his counsel. Consequently, vide order dated 03rd July, 2024, his bail was cancelled by the trial Court and he was ordered to be served through warrants of arrest. The petitioner was arrested in some other case on 22.08.2024 and was produced before the Court on 16.09.2024 by the jail authorities.

3. Learned counsel further contends that the petitioner shall appear before the trial Court on each and every date of hearing and shall not absent from the trial without prior permission of the trial Court.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner did not appear on the date of hearing before the trial Court and does not deserve any leniency by this Court.

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

6. The petitioner was earlier granted the concession of bail by the Court of Sessions Judge, Narnaul, on 31.05.2022 and thereafter, he was regularly appearing before the trial Court. However, he absented himself on 03.07.2024 and his bail was cancelled and he was ordered to be served through warrants of arrest. Now, again the

petitioner is in custody since 24.09.2024 and no purpose will be served by keeping him behind the bars.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

8. The petitioner shall file an affidavit before the concerned Court that he shall appear on each and every date of hearing and shall not remain absent during the trial without prior permission of the trial Court. In case, the petitioner does not appear on any date of hearing before the trial Court without prior permission, it shall be viewed seriously and the necessary consequences will follow.

23.10.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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