

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-754-2024

Date of Decision: 9.1.2024

Krishan Walia

....Petitioner

VERSUS

State of Haryana and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Dhruv Gupta, Advocate,
for the petitioner.

KARAMJIT SINGH, J.

Present petition has been filed by the petitioner seeking quashing of order dated 16.1.2023 whereby the bail order of the petitioner was cancelled and he was directed to be summoned through non-bailable warrants of arrest by the Court of CJM, Ambala in case having FIR No.70 dated 19.2.2017 registered under Sections 148, 149, 452, 506 IPC at Police Station Ambala City, District Ambala.

2. Counsel for the petitioner submits that after registration of FIR, the petitioner was arrested and released on regular bail. However, due to unavoidable circumstances, the petitioner failed to appear in the trial Court on 16.1.2023 and the trial Court passed the impugned order whereby bail bonds of the petitioner were cancelled and he was directed to be summoned through non-bailable warrants of arrest. Counsel for the petitioner further submits that the petitioner never received any such warrants of arrest and has not been declared as proclaimed person till date. It is further submitted that the petitioner is ready to join proceedings in the learned trial Court and

will remain careful in future.

3. Notice of motion.
4. Mr. Neeraj Sheoran, DAG, Haryana accepts notice on behalf of the State and while resisting the present petition, submits that there is no illegality or perversity in the impugned order as on the date fixed, the petitioner failed to appear before the trial Court without any intimation to the said Court. However, the State counsel has not disputed the fact that the petitioner has not been declared as proclaimed offender till date by the trial Court.
5. I have considered the submissions made by the counsel for the parties.
6. In view of above, without commenting on the merits of the case, in order to avoid any further delay in trial, the present petition is hereby disposed of and the petitioner is directed to appear before the learned trial Court on or before the next date fixed in the trial and on doing so, the petitioner is directed to be released on regular bail by the said Court to its own satisfaction subject to costs of ₹7000/- to be deposited by the petitioner with the District Legal Services Authority, Ambala.

(KARAMJIT SINGH)
JUDGE

January 9, 2024
Paritosh Kumar

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