



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

CRM-M-62281-2024
Date of Decision : **11.12.2024**

DINESHPetitioner

VERSUS

STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vishal Yadav, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. The present petition has been filed seeking quashing of impugned order dated 02.12.2024 (Annexure P-3) passed by the learned Additional Sessions Judge, Charkhi Darei, whereby, the bail of the petitioner has been cancelled, and bail bonds/surety bonds have been forfeited to the State, and his non-bailable warrants have been issued, in case FIR No.266, dated 15.10.2021, under Section 379-A of the IPC, which was later on deleted, however Section 379-B and 427 thereof, added later on, registered at Police Station Bhadra, District Charkhi.

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail by the learned trial court concerned, vide order dated 06.08.2022 (Annexure P-2), and since then the petitioner was regularly appearing

before the learned trial Court concerned, except on one occasion i.e. dated 02.12.2024, when he could not appear due to some miscommunication between the present petitioner and his counsel, and resultantly, his bail was cancelled vide order of even date.

3. He further submits that petitioner has no intentions to challenge the legality of the order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to him.

4. *Per contra*, learned State counsel opposes the grant of relief (*supra*), to the present petitioner.

5. This Court has considered the rival submissions made by learned counsel for both the parties concerned, and has gone through the entire case file.

6. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioner, without going into the legality of the impugned order (*supra*), this Court directs the petitioner to surrender before the learned trial Court concerned within 10 days from today.

7. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and furnishes fresh bail and surety bonds, the same shall be accepted by the latter, however, subject to its own satisfaction, and, the petitioner shall be released on bail.

8. In the meanwhile, the arrest of the petitioner shall remain stayed.

9. However, in case, the petitioner fails to appear before the learned trial Court concerned within 10 days from today, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without any further reference to this Court.

10. **Disposed of accordingly.**

December 11, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No