



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64470-2024
Date of Decision:19.12.2024

Anand Kumar ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. D.S Matya, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to quash the impugned orders dated 25.09.2024, 09.10.2024, 23.10.2024, 06.11.2024, 20.11.2024 and 04.12.2024 (Annexures P-4 to P-9) passed by the Court of Judicial Magistrate Ist Class, Gurugram in a case arising out of FIR No.2313, dated 02.10.2023, under Sections 386, 427 and 506 of IPC, registered at Police Station Shivaji Nagar, Gurugram, whereby the warrants of arrest were issued against the petitioner and all subsequent proceedings arising out therefrom.
2. Learned counsel for the petitioner contends that the petitioner was falsely involved in the present FIR and and thereafter, he was ordered to be released on bail. Learned counsel further contends that the petitioner was regularly appearing before the Trial Court and never misused the concession of bail. He next contends that the petitioner had lost the contact with his counsel

and could not appear on 25.09.2024, 09.10.2024, 23.10.2024, 06.11.2024, 20.11.2024 and 04.12.2024. Learned counsel for the petitioner next contends that the petitioner is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State.

5. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had not appeared intentionally before the Trial Court and there is no illegality in the impugned orders passed by the Court below and the petitioner does not deserve the concession of bail.

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

7. It is not in dispute that the petitioner was on bail earlier and was regularly appearing before the Trial Court. Thus, taking a lenient view of the matter, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two weeks from today subject to payment of cost of Rs.25,000/- which shall be deposited with ***Punjab and Haryana High Court Bar Clerks Association*** and on his surrender, he shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court.

8. At the time of furnishing of bail bonds, the petitioner shall also file

an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the court proceedings, except with prior permission of the Court.

9. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

10. The petition stands allowed in the above terms.

19.12.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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