



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-554-2025
Date of decision: 10.02.2025

HARBHEJ SINGHPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rahul Verma, Advocate for
Mr. Suneel Sharma, Advocate
for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS,
2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
441	26.12.2019	307, 506, 34, 120-B of IPC and 25 of Arms Act	Pinjore, District Panchkula, Haryana.

2. It is, *inter alia*, contended by learned counsel for the petitioner that in compliance to the order passed by this Court on 10.01.2025, the petitioner has appeared before the learned trial Court and furnished the requisite bail bonds. In support of his contention, he has placed on record copy of order dated 16.01.2025 passed by learned Sessions Judge, Panchkula, in this regard.
3. This aspect is not disputed by learned State counsel.
4. During the course of hearing on 10.01.2025, following order



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was passed:

“ 2. *Heard.*

3. *It is, inter alia, contended by learned counsel for the petitioner that the petitioner, after having been nominated in case FIR (Annexure P-1), was granted concession of bail vide order dated 01.02.2022, passed by this Court, in CRM-M-15466-2021, ‘Harbhej Singh vs. State of Haryana’, and thereafter he had been regularly appearing before the learned Trial Court in case No. SC/102/2020, ‘State vs. Dilpreet and others’, pending before the learned Sessions Judge, Panchkula. He contends that on 09.10.2024, the petitioner could not appear in the concerned Court due to illness, as is evident from the medical certificate dated 09.10.2024 (Annexure P-5), however, he could not inform his counsel nor could move any application for exemption, as a consequence, learned Trial Court proceeded to cancel his bail and issued the nonailable warrants of arrest.*

4. *Learned counsel for the petitioner further referred to the order dated 09.12.2024, passed by learned Sessions Judge, Panchkula, (Annexure P-4) to contend that the warrants of arrest have not been executed and the case is pending for 24.01.2025 for the presence of the petitioner. He contends that absence of the petitioner was not intentional and if, granted concession of bail, he will regularly appear in the Court on each and every date of hearing without fail.*

5. *Notice of motion, returnable for 22.01.2025.*

6. *On the asking of the Court, Mr. Surender Singh, AAG, Haryana, who is present in Court, accepts notice and does not dispute the factual matrix of the case.*

7. *Keeping in view the above facts and circumstances and without commenting on merits of the case, the petitioner is directed to appear before the learned Trial*



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Court/Judge on duty/Duty Magistrate within a period of 07 days from today and in that event, learned Trial Court/Judge on duty/Duty Magistrate will admit the petitioner on interim bail subject to its satisfaction on his furnishing requisite bail/surety bonds. The petitioner is also burdened to pay a cost of Rs. 5,000/- in the District Legal Services Authority, Panchkula, as a condition precedent for grant of interim bail.

8. The petitioner shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed.”

5. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 10.01.2025, passed by this Court, the present petition is allowed. The order dated 09.10.2024 (Annexure P-3), passed by learned Sessions Judge, Panchkula, stands quashed and the interim bail granted vide order dated 10.01.2025 is hereby confirmed.

6. The petition stands disposed of.

(SANJIV BERRY)
JUDGE

10.02.2025
kanika

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |