

Pardeep Vs State of Haryana

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Aug. 30, 2010

Acts Referred: Criminal Procedure Code, 1973 (CrPC) â€” Section 438
Penal Code, 1860 (IPC) â€” Section 323, 406, 498A, 506

Hon'ble Judges: Rajan Gupta, J

Bench: Single Bench

Judgement

Rajan Gupta, J.

This is a petition u/s 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 498-

A/406/323/506 IPC vide FIR No. 54 dated 22.04.2006 at police station Bond Kalan, District Bhiwani.

2. Notice of motion.

3. On the asking of the court, Mr. Tarun Aggarwal, Sr. DAG, Haryana, accepts notice.

4. Learned Counsel for the petitioner has contended that petitioner had been continuously appearing before the trial court on all dates. However,

on 8.6.2010, he could not appear before the court as he was suffering from gastroenteritis. Learned Counsel submits that there was no intention on

the part of the petitioner to absent himself from the proceedings. He, therefore, submits that petitioner is entitled to concession of pre-arrest bail.

5. I have heard learned Counsel for the petitioner.

6. It appears that due to non-appearance of petitioner before the trial court on 8.6.2010, his bail bonds were cancelled.

7. In view of the fact that petitioner is stated to be ill on the said date, it is directed that in case petitioner appears before the trial court within a

week of receipt of certified copy of this order, he shall be admitted to bail. This, however, will be subject to his furnishing an undertaking that he

shall not absent from the proceedings on any date in future. In case the petitioner fails to appear before the trial court within the said period, this

order shall cease to operate.

8. Disposed of.