



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRM-553-2025
in/and CRM-M-61941-2024 (O&M)
Decided on : 14.01.2025

SHIVAM PANJETA

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Chopra, Advocate,
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

CRM-553-2025

Present application has been moved by the applicant/petitioner seeking preponement of the date of hearing of the main case i.e. CRM-M-61941-2024, which is fixed for 18.03.2025, to some earlier date.

Notice in the application.

On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State, and does not raise any objection if the prayer made in the present application, is allowed.

Considering the submissions addressed by counsel for the parties, present application is allowed, and date of hearing in the main case i.e. CRM-M-61941-2024 is postponed from 18.03.2025 to 14.01.2025 i.e. today itself.

CM stands disposed of.

CRM-M-61941-2024

1. The instant petition has been filed for grant of regular bail to the petitioner – Shivam Panjeta, aged about 25 years, who has committed the offence punishable under Sections 25 of the Arms Act, 1959 (Challan presented for the offence under Sections 25, 29 of the Arms Act), in FIR No.221 dated 10.06.2022, registered at Police Station Parao, Ambala Cantt, District Ambala, during the pendency of trial.

2. Counsel for the petitioner *inter alia* contends that on account of the recovery of two countrymade pistols, FIR in question was registered against the petitioner. Vide order dated 27.06.2022, he was granted regular bail by the Court of learned Judicial Magistrate First Class, Ambala, and thereafter, he kept on appearing on each and every date, uptill the date prior to 06.09.2024, when his bail was cancelled, on account of being absent first time. In fact, the person namely Suresh, who stood as surety in the bail bonds wanted to withdraw, and therefore, he had requested his counsel to seek exemption from appearance so that the petitioner may arrange some other surety, along with the relevant documents, to produce before the Court.

3. Moreover, counsel for the petitioner submits that the petitioner regrets for his mistake, and surrendered on 25.11.2024 before the Court, and since then, he is inside the jail. Thus, he prays for grant of regular bail.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State, who has already been handed over the copy of the petition, and submits that from the order dated 06.09.2024, it is clear that the petitioner was well aware of the fact that he is bound to join the proceedings before the Court as his surety is ready to withdraw. Instead of following the procedure under law, i.e. putting the appearance before the Court, he choses to be absent, and therefore, the petitioner does not deserve any sympathy for the relief as prayed by him.

6. This Court has considered the submissions addressed by counsel for the parties, and finds that undisputedly, the petitioner has been appearing for the period of more than 2 years before the concerned Court after granting of bail to him. Even after cancellation of the bail, vide order dated 06.09.2024, he again surrendered himself on 25.11.2024. Therefore, prayer made by him requires to be considered, looking at this conduct in entirety.

7. Since, the petitioner himself has come forward to join the proceedings, present petition deserves to be allowed.

8. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

14.01.2025

Lavisha

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