

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 27585 of 2019

Date of Decision: 2.7.2019

Jaswant Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. A.K.Khunger, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.

This petition is filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of the order dated 30.5.2019 (Annexure P-5) passed by Sessions Judge, Fazilka, whereby bail bonds of the petitioner were cancelled and he was ordered to be summoned through non-bailable warrants.

Learned counsel for the petitioner states that in the pending criminal complaint, the petitioner had been regularly appearing before the Court below. He further states that even statement under Section 313 Cr.P.C. was recorded on 8.3.2019 and the petitioner appeared on 27.5.2019 and the case was adjourned to 30.5.2019 but on 29.5.2019, the petitioner fell ill and could not appear on 30.5.2019 i.e. the date fixed by the trial Court and bail was cancelled by forfeiting bail bonds and surety bonds. Learned counsel for the petitioner has relied upon the medical certificate dated 29.5.2019 to contend that the non-appearance was not intentional. He further submits that the petitioner will surrender before the trial Court on the date fixed i.e. 3.7.2019.

On the asking of the Court, Mr. Ajaypal Singh, DAG, Punjab accepts notice on behalf of the State.

Since petitioner has been regularly appearing before the trial Court but due to illness he could not appear on 30.5.2019, this petition is disposed of with a direction to petitioner-accused Jaswant Singh to surrender before the trial Court on the date fixed i.e. 3.7.2019 and the trial Court shall release him on bail on furnishing bail/surety bonds.

Copy of the order be given under the signatures of Reader of this Court.

(HARNARESH SINGH GILL)
JUDGE

July 02, 2019
Gurpreet

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