

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-39911 of 2019

Date of Decision: 18.09.2019

Gurbhinder Singh

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Amritpal Singh Gill, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 438 Cr.P.C. for quashing of order dated 28.08.2019 (Annexure P3), passed by the learned Sessions Judge, Sri Muktsar Sahib in criminal appeal bearing No. CRA/77/2019, whereby bail granted to the petitioner, who is an appellant in the said criminal appeal, was cancelled on account of non-appearance before the learned lower Appellate Court.

Learned counsel for the petitioner contended that petitioner had no reason not to appear before the learned lower Appellate Court, but only because of the fact that petitioner had wrongly noted down the next date of his appearance in the appeal.

Notice of motion.

On asking of the Court, Ms. Monika Jalota, Deputy Advocate General, Punjab accepts notice on behalf of respondent No.1. A complete

copy of paper-book be provided to her during the course of the day.

Having considered the submissions made by learned counsel for the petitioner and perused the case file, present petition stands disposed of with the directions that in case petitioner surrenders before the learned lower Appellate Court within a period of one week and moves an application for granting bail, the learned Sessions Judge shall admit him to bail on his furnishing fresh bail bonds and surety bonds. However, the learned Sessions Judge shall be at liberty to complete the proceedings against the petitioner under Section 446 Cr.P.C.

(Shekher Dhawan)
Judge

September 18, 2019
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No