

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-29586-2021

Date of decision: 29.07.2021

Satnam Singh alias Pappu and another

...Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sukhmeet Singh, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is a petition under Section 482 Cr.P.C. for quashing of the order dated 15.07.2021 (Annexure P-7) passed by Additional Sessions Judge, Rupnagar, in case FIR No.195 dated 02.11.2020 registered under Section 379-B IPC at Police Station Sadar, Rupnagar, whereby while cancelling the bail bonds and surety bonds of the petitioners, non-bailable warrants were issued against them.

Learned counsel for the petitioners submits that the petitioners had been on bail and were regularly appearing before the trial Court. He further submits that the case was put up before the Duty Magistrate during summer vacations on 04.06.2021 and it was adjourned to 15.07.2021. However, the petitioners could not appear before the trial Court on 15.07.2021 as they were under the impression that no further proceedings in the case would take place due to Covid-19. The non appearance of the

petitioners was not intentional and rather they are ready to appear before the trial Court.

Notice to the State-respondent No.1 only.

On the asking of the Court, Mr. Avtar Singh Sandhu, Addl. A.G., Punjab, accepts notice on behalf of the State.

Notice to respondent No.2-complainant is not being issued as such process would unnecessarily delay the proceedings before the trial Court.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure, is to ensure the presence of the accused before the Court to receive the orders and punishments as are passed. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

Without commenting on the merits of the case, this petition is disposed of with a direction to the petitioners to surrender before the trial Court within four weeks from today. On doing so, they shall be released on bail subject to their furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court.

(HARNARESH SINGH GILL)
JUDGE

29.07.2021

Ishwar

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No