

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

**CRM-M-53905 of 2021
Date of Decision: 22.12.2021**

Jaspal Singh alias Jassu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

ANOOP CHITKARA, J.(ORAL)

Aggrieved against the cancellation of bail by the learned trial Court, the petitioner has come up before this Court for grant of anticipatory bail and for setting aside non-bailable warrants which were issued against him because of his non-appearance on 06.10.2021 (Annexure P-5). Learned counsel for the petitioner has drawn the attention of this Court to Paragraph No.7 of the petition, in which it has been mentioned that the petitioner could not appear on the date fixed as he was suffering from high fever and viral. He further submits that the bail bonds already furnished by the petitioner were cancelled and forfeited to the State.

Notice of motion.

At the asking of the Court, Mr. Harsimar Singh Sitta, learned Assistant Advocate General, Punjab appears on behalf of the State, waives service and accepts notice.

The explanation offered by the learned counsel for the petitioner for his non-appearance before the learned trial Court is *bona fide*.

This Court is inclined to afford one more opportunity to the petitioner.

Consequently, the present petition is allowed subject to the condition that the petitioner shall appear before the learned trial Court on 23.12.2021 and after that on each and every date as and when called upon to do so. Bail bonds already furnished by the petitioner/accused stand restored since the petitioner is a poor person. Bail bonds are restored on the same terms and conditions that the petitioner shall now appear before the learned trial Court on 23.12.2021. Learned counsel for the petitioner assures this Court that the petitioner shall positively appear on 23.12.2021 before the learned trial Court.

It is clarified that if the petitioner fails to appear by the said date, then this order shall stand automatically recalled under Section 362 read with Section 482 of Cr.P.C. and his bail bonds shall stand cancelled without any further reference of this Court.

There would be no need for a certified copy of this order for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer/prosecutor/Court want to verify the authenticity, such person can also verify its authenticity or may download and use the downloaded copy for attesting bonds.

Petition allowed.

(ANOOP CHITKARA)
JUDGE

December 22, 2021
Manpreet

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