

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

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CRM-M-3235-2022 (O&M)

Date of Decision: 20.05.2022

Ram Singh @ Ramu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Yashpal Thakur, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

By way of this petition, the petitioner assails order dated 24.08.2021 vide which the trial Court upon noticing that the petitioner, who was an accused in case FIR No.212 dated 07.08.2020 registered at Police Station City Sunam, District Sangrur, under Sections 379-B/34 IPC, had absented, ordered for cancellation of his bail and issued non bailable warrants.

This Court finds that there is no infirmity in the impugned order inasmuch as the trial Court upon finding that the accused had not appeared and thus violated the conditions of bail as granted to him, was perfectly justified in cancelling his bail and issuing non bailable warrants for securing presence of the petitioner. This Court in fact finds that even on the previous date i.e. 13.07.2021, the petitioner had not appeared and the trial Court concerned had adjourned the matter further to 24.08.2021 and had passed no adverse order on the said date.

In these circumstances, no infirmity is found in the impugned order dated 24.08.2021. The petition, as such, is dismissed.

Needless to mention, it shall always open to the petitioner to approach the Court again by way of moving an appropriate application under Section 439 Cr.P.C.

In case, the petitioner surrenders before the trial Court within 2 weeks from today and moves an application for grant of regular bail, the trial Court shall endeavour to dispose of the same expeditiously while taking into account that the absence of the petitioner as on 24.08.2021 is stated to be first instance of default on his part provided the said fact is found to be correct.

20.05.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**