

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

**CRM-M-1225-2022
Date of decision: 12.01.2022**

Shivdev Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Umesh Aggarwal, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for setting aside the order dated 05.01.2022, passed by the trial Court, vide which the bail/surety bonds of the petitioner have been cancelled.

Learned counsel for the petitioner submits that the petitioner was granted the concession of anticipatory bail by this Court, vide order dated 05.08.2021 passed in CRM-M-23109-2021, and was facing the trial, however, on 05.01.2022, the petitioner, through his counsel, moved an application for exemption from personal appearance as he was not well and the said application was supported by the medical record of the petitioner. However, the trial Court, instead of granting exemption, has opted to cancel the bail/surety bonds of the petitioner and has issued bailable warrants against him.

Learned counsel further submits that the non-appearance of the petitioner on the said date was not intentional as he had moved a proper application for exemption as he was not feeling well. It is further submitted that the petitioner is ready to appear before the trial Court and apply for

grant of fresh bail.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State and could not dispute the factual position.

Accordingly, the present petition is disposed of with a direction to the petitioner to appear before the trial Court within a period of 15 days from today and apply for grant of bail. On doing so, the trial Court shall release the petitioner on bail, subject to his furnishing fresh bail/surety bonds to its satisfaction and on payment of cost of Rs. 3,000/-, to be deposited with the District Legal Services Authority, Rupnagar.

Till the time the petitioner appears before the trial Court, his arrest shall remain stayed.

12.01.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No