

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

**CRM-M-11789-2022
Date of decision: 21.03.2022**

Satish Kumar @ Monu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Suresh Singla, Advocate
for the petitioner.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for setting aside the order dated 31.10.2018 (Annexure P-3), passed by the trial Court in CHA/76/2018 titled as ***State of Punjab vs. Satish Kumar*** (in FIR No. 166 dated 11.07.2017, registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Talwandi Sabo, District Bathinda), vide which the bail/surety bonds of the petitioner were cancelled and non-bailable warrants were issued against him.

Learned counsel for the petitioner submits that the petitioner was granted the concession of regular bail in the aforesaid FIR and thereafter, the challan was presented. It is further submitted that on presentation of challan, the petitioner was informed by his counsel in the trial Court that as and when his presence is required, he will be informed, however, the necessary information about the dates fixed before the trial Court was not given by his counsel and in the meantime, the petitioner was declared a proclaimed offender and now the trial Court has again issued non-bailable warrants

against him, vide order dated 02.02.2022.

Learned counsel for the petitioner further submits that the petitioner is ready to appear before the trial Court and face trial.

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 does not dispute the factual position, however, it is submitted that the petitioner has absented from the Court proceedings for a considerable long time i.e. for more than three years.

After hearing learned counsel for the parties, considering the fact that the petitioner has undertaken to appear before the trial Court and face the trial, the present petition is disposed of with a direction to petitioner to appear before the trial Court within a period of 15 days from today and on doing so, the trial Court shall release him on bail, subject to his furnishing fresh bail/surety bonds to its satisfaction.

However, this will be subject to a condition that the petitioner will deposit the costs of Rs. 25,000/- with Punjab and Haryana High Court Lawyers' Welfare Fund for delaying the proceedings and produce the receipt in this regard before the trial Court at the time of furnishing bail/surety bonds.

21.03.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No