

127 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14243-2022
Date of decision-04.04.2022

Mandeep Singh @ Manna

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Arora, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 482 Code of Criminal Procedure for quashing of order dated 09.01.2020 (Annexure P-4) passed by learned Additional Sessions Judge, Tarn Taran, whereby while cancelling his bail, the bail bonds and surety bonds were also ordered to be forfeited and warrants of arrest have been issued. The impugned order arises from trial proceedings of case FIR No.26 dated 18.05.2016 registered under Sections 457 and 380 Indian Penal Code, 1860 at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner has argued that though the petitioner was on bail, but during trial, he absented on 09.01.2020 as he had noted a wrong date as 09.02.2020, therefore, the trial Court proceeded to cancel his bail. According to learned counsel, it was on 09.02.2020, the petitioner came to know about passing of the impugned order, who is now willing to join trial proceedings, therefore, the impugned order be set aside.

During the course of hearing, when learned counsel was confronted

with the maintainability of this petition after a long delay of two years as admittedly, the petitioner acquired knowledge of the impugned order on 09.02.2020, learned counsel submits that as no notice was effectively served upon him, therefore, he did not appear before the Court, and further, because of breakout of COVID-19 in March, 2020, the petitioner was prevented by sufficient reason to rejoin the proceedings.

After hearing learned counsel for the petitioner and considering the above background, this Court finds that the petitioner/accused has failed to give a sufficient explanation for delay in challenging the impugned order and admittedly, he did not make any effort to join the trial proceedings.

Resultantly, this Court is not inclined to exercise the inherent powers under Section 482 Cr.P.C.

Dismissed.

(MANOJ BAJAJ)
JUDGE

04.04.2022

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Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No