

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

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CRM-M-16300-2022(O&M)

Date of Decision: 21.04.2022

Baljeet Singh @ Jeeta @ Daljeet

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ajiteshwar Singh, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of the order dated 21.10.2021(P-15), 12.11.2021 (P-16), whereby the learned trial Court has ordered forfeiture of bail bonds and issuance of non-bailable warrants against the petitioner in view of his non-appearance.

The petitioner is an accused in case FIR No. 118 dated 10.11.2019, under Sections 379-B, 411 and 34 IPC registered at Police Station Lambra, Jalandhar. The petitioner was arrested in the case on 05.12.2019. After completion of investigation, challan was presented on 12.12.2019. The petitioner was granted regular bail by the trial Court on 14.02.2020. Thereafter, the petitioner regularly appeared before the Court. However, on 20.04.2021, 27.05.2021, 17.06.2021 and 12.07.2021, the petitioner did not appear before the Court as he remained under the impression that the Courts were not functioning. On 23.08.2021 the counsel of the petitioner erroneously stated that the petitioner was in custody in some other case and that is

why he had not appeared. Thereafter production warrants were issued. As the petitioner was not in custody, the learned trial Court vide order dated 21.10.2021 ordered forfeiture of bail bonds and issuance of non bailable warrants against him. On 21.03.2022, the petitioner applied for anticipatory bail which was rejected by the Court.

Learned counsel for the petitioner has argued that his non-appearance was only unintentional. Due to COVID-19 pandemic there was lack of communication between the petitioner and his counsel. He states that it was never the intention of the petitioner to evade the process of law. He states that the petitioner is ready to surrender before learned trial Court and face trial.

Notice of motion.

Mr. B.S. Sewak, Addl. A.G., Punjab accepts notice on behalf of respondent/State.

Taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 10.05.2022. He would be at liberty to apply for regular bail which may be considered expeditiously. In the meanwhile, execution of orders Annexure P-15 and Annexure P-16 shall remain stayed.

[HARINDER SINGH SIDHU]
JUDGE

April 21, 2022
rashmi

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no