

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-18220-2022 (O&M)
Date of Decision:-6.5.2022

Jagsir Singh @ Jaggu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. Having heard learned counsel for the petitioner, this Court does not find any ground for setting aside of order dated 24.3.2022 passed by learned Judge Special Court, Sangrur, as this Court is of the opinion that the Court was fully competent to cancel the bail of petitioner upon finding that he had not appeared in the Court and nor any exemption application had been moved on his behalf. In these, circumstances the petition is sans merit and is hereby dismissed.
2. It is, however, directed that in case the petitioner surrenders before the Trial Court within a period of one week from today and moves an application for grant of regular bail, the Trial Court shall consider and dispose off the same

in accordance with law expeditiously in view of directions in concluding paragraph of judgment passed by this Court in CRM-M-39172 of 2021 titled Pawan Kumar Vs. State of Haryana and another decided on 21.9.2021, which reads as under:

“12. Before parting with this order, it needs to be added that this Court cannot lose sight of the fact that there would be certain cases where an accused is unable to appear before the trial Court on account of genuine reasons, say on account of having noted the date incorrectly or on account of certain reasons which are beyond his control. In such cases, the accused can surrender before the trial Court and it is expected that the trial Courts would take a lenient view in genuine cases and decide the regular bail application expeditiously. In a given set of circumstances where the trial Court is satisfied that there were valid reasons for the absence of an accused and that he has surrendered at the shortest possible time, the trial Court can in fact dispose of the regular bail application on the very day the same is presented by accused upon his surrender. The trial Court, in its discretion, may also chose to grant interim bail, in fit cases, but only after surrender of accused.”

3. It is further directed that in case the Trial Court choses to grant bail to the petitioner, it shall consider restoration of the earlier surety bonds provided such surety is willing to furnish undertaking to the effect that his previous surety bonds may be extended.

6.5.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No