

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

135

CRM-M-24523-2022

Date of Decision: 31.05.2022

Deepak Kumar

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Abhijeet P.S. Chaudhary, Advocate,
for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed seeking quashing of the order dated 13.12.2019 passed by the Additional District & Sessions Judge, Ludhiana, whereby bail granted to the petitioner has been cancelled due to his absence.
2. The aforestated position, wherein the petitioner has jumped bail does not warrant grant of any relief in view of judgment passed by this Court in CRM-M-39172 of 2021 titled Pawan Kumar Vs. State of Haryana and another decided on 21.09.2021. The petition, as such, is dismissed.
3. It is, however, directed that in case the petitioner surrenders before the trial Court within 10 days from today and moves an application for grant of regular bail, the trial Court shall consider the same expeditiously in view of observations made in concluding paragraph of judgment passed by this Court in Pawan Kumar's case (supra), 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.”

4. In case, the trial Court chooses to grant bail to the petitioner, it shall also consider restoration of the surety bonds, if permissible under law.

31.05.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No