

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-26536-2022

Date of Decision:-30.08.2022

Rajesh Kumar @ Monu.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Ramnish Puri, Advocate for the Petitioner.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of the impugned order dated 21.12.2021 (Annexure P-2) passed by the learned CJM, Amritsar in FIR No.507 dated 11.10.2017 under Section 379, 411 IPC registered at P.S. Civil Line, District Amritsar whereby the bail of the petitioner stood cancelled and his bail bonds and surety bonds also stood cancelled and forfeited to the State. The presence of the petitioner has been ordered to be secured by way of issuance of Non bailable warrants.

The Counsel for the petitioner contends that the petitioner was an accused in FIR No.507 dated 11.10.2017 under Section 379, 411 IPC registered at P.S. Civil Line, District Amritsar (Annexure P-1). The petitioner surrendered in the case and was released on bail vide order dated 16.10.2017 passed by the learned JMIC, Amritsar. He was regularly appearing before the trial Court. However, due to certain financial and personal problems he could not appear on the date fixed i.e. 10.7.2019 on account of severe depression. Subsequently the bail bonds and surety bonds of the petitioner were cancelled and forfeited to the State vide impugned

order dated 21.12.201 (Annexure P-2).

The petitioner contends that he was unable to appear on the said date due to bonafide reasons on account of illness and undertakes to appear before the trial Court and abide by all the conditions, the court may impose in the facts and circumstances of the case.

I have heard learned counsel for the petitioner.

It is apparent that the petitioner has not appeared after 10.07.2019 and his bail bonds and surety bonds were cancelled and forfeited to the State vide order dated 21.12.2021 (Annexure P-2). The justification for the same is that he was in severe depression because of which he could not appear before the Trial Court. The explanation cannot be accepted. It may be pointed out here that despite the impugned order being passed on 21.12.2021 the present petition for quashing also was instituted only on 5.6.2022 after 07 months of the passing of the order Annexure P-2. The conduct of the petitioner leaves lot to be desired. In fact absolutely no extraordinary circumstances have been mentioned in the petition or as per the arguments raised by the counsel for the petitioner for quashing of the order dated 21.12.2021 (Annexure P-2).

In view of the above, I find no merit in the present petition and, the same is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

August 30, 2022

Vinay

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