

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

CRM-M-34757-2022

DECIDED ON: 15th DECEMBER, 2022

MAHINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked for quashing of order dated 21.05.2022 (Annexure P-7) passed by learned Chief Judicial Magistrate, Ludhian vide which the anticipatory bail granted to the petitioner in FIR No. 06, dated 02.04.2015 (Annexure P-1), under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC stands cancelled and bail bonds and surety bonds were ordered to be forfeited to the State.

Learned counsel for the petitioner contends that the case was fixed for consideration on charge on 25.04.2022. It is asserted that unfortunately petitioner suffered paralysis attack on 13.04.2022 and was admitted to SPS Hospital, Ludhiana and remained under treatment, therefore, he could not appear before the Court on 25.04.2022, 21.05.2022, 04.06.2022, 17.06.2022 and 01.07.2022. It is further asserted that the counsel appearing before the trial Court was duly informed by the son of the petitioner with regard to his medical ailment but no such application for

exemption has been moved by the counsel before the trial Court.

It is alleged that due to the afore-said reasons petitioner could not appear before the trial Court and the absence of the petitioner is neither willful nor intentional.

Be that as it may, to meet the ends of justice, the order dated 21.05.2022 (Annexure P-7) is hereby, quashed and the petitioner is directed to surrender before the trial Court within a period of two weeks and apply for bail. In case any such application is filed by the petitioner, the same shall be considered and decided by the trial Court on the same date, in accordance with law.

Disposed off.

(SANDEEP MOUDGIL)
JUDGE

15.12.2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>