

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

**CRM-M-37971-2022
Date of decision : 29.11.2022**

Daljit Singh @ Kala

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Vishva Nath Sharma, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for setting aside the order dated 30.03.2022 and that dated 04.06.2022 passed by Special Court-cum-Additional Sessions Judge, Ludhiana whereby bail of the petitioner was ordered to be cancelled.

2. On 25.08.2022, the petitioner was directed to surrender before the trial Court on or before 12.09.2022.

3. Counsel for the petitioner submits that the petitioner appeared and surrender before the trial Court on 31.08.2022 and the following order was passed:-

“Heard on the application for grant of bail to the accused applicant Daljit Singh @Kala. It is submitted by learned counsel for the applicant/accused that the accused was earlier appearing in this case regular and due to lockdown, no client was allowed to enter the court

and thereafter due to communication gap, the applicant could not attend the hearing of the case, which resulted into declaration of his proclaimed person and the case was consigned on 30.3.2022. He further submitted that applicant came to know about the status of case and filed petition bearing CRM-M-37971 of 2022 before the Hon'ble High Court, in which order dated 25.8.2022 was passed directing him to surrender before the trial court by 2nd of September, 2022, which he has complied. Learned counsel for the accused further submitted that absence of the applicant/accused from the proceedings was neither intention nor willful but was on account of reasons mentioned above.

2. Although the bail application has been opposed by learned Addl.P.P. for the State, yet taking into account the facts and circumstances of the case that since the accused has himself surrendered before court though as per direction of the Hon'ble High Court, and is ready to face the trial, therefore, taking a lenient view and in the interest of justice, the bail application is allowed and the bail/surety bonds earlier furnished by the accused are restored. Release order be issued. Since the bail bonds/surety bond have restored, therefore, the surety proceedings registered at CRM/1649/2022 pending for 29.9.2022, are dropped and the proceedings are ordered to be attached with the main trial case alongwith these papers.”

4. Keeping in view that the petitioner already stands admitted to bail and the surety proceedings registered at CRM/1649/2022 pending for 29.09.2022 stand dropped and the petitioner undertakes to appear before the trial Court regularly, nothing survives in the present petition at the hands of

5. Consequently, the present petition is dismissed as having been rendered infructuous.

(PANKAJ JAIN)
JUDGE

29.11.2022

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Whether speaking/reasoned : Yes

Whether Reportable : No