

CRM-M-41676-2022

DECIDED ON:12th SEPTEMBER, 2022

BALVIR RAM

.....PETITIONER

VERSUS

SUKHWINDER SINGH AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. L.S. Mann, Advocate for
Mr. Jitender K. Sehrawat, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The present petition has been filed for quashing of impugned order dated 01.09.2022 (Annexure P-5) passed by learned Additional Sessions Judge, Jalandhar in case titled as “Balvir Ram vs. Sukhwinder Singh etc” case No. CRA-377-2017, whereby, the bail of the petitioner has been cancelled and bail bonds and surety bonds have been forfeited to the State and non bailable warrants have been issued.

Learned counsel for the petitioner contends that the sentence of the petitioner was suspended during the pendency of afore-said appeal vide order dated 03.07.2017 and since then he was appearing before the Court concerned regularly. The petitioner could not appear before the trial Court on 01.09.2022 and no exemption application was filed by him due to which bail bonds and surety bonds have been forfeited to the State and petitioner was summoned through non-bailable warrants. The non-appearance of the petitioner is due to the fact that his mother was admitted in Parhar Hospital,

Phagwara on 29.08.2022 and was operated upon on 01.09.2022. Thereafter, she was discharged from hospital on 05.09.2022. Accordingly, the non-appearance of the petitioner is un-intentional.

Keeping in view the afore-said facts, the present petition is disposed of with a liberty to the petitioner to surrender and seek regular bail application the trial Court on the date fixed before it i.e. 22.09.2022 and in case he moves any regular bail application, the same be decided by the court concerned on the very same day, in accordance with law.

Till then the operation of impugned order dated 01.09.2022 (Annexure P-5) shall remain stayed.

Ordered accordingly.

12th SEPTEMBER, 2022
sham

(SANDEEP MOUDGIL)
JUDGE

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