

CRM-M-42827 of 2022

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

CRM-M-42827 of 2022
Date of Decision: 16.09.2022

Baljinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Arjun Veer Sharma, Advocate, for the petitioner.
Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing of order dated 18.10.2021 (Annexure P-3) passed by the Chief Judicial Magistrate, Ludhiana in case titled “State v. Baljinder Singh” registered vide No.CHI/2053/2014 arising out of FIR No.125 dated 26.05.2014 lodged under Sections 279/304-A IPC at Police Station Focal Point, District Ludhiana, vide which bail bonds and surety bonds of the petitioner were cancelled and forfeited to the State and non-bailable warrants of arrest of the petitioner have been issued due to his non-appearance in the aforesaid case.

Brief facts of the case are that on 26.05.2014 when brother of the complainant was going on his two wheeler a truck allegedly driven by the petitioner came from behind and hit the two wheeler driven by brother of the complainant. As a result of which deceased fell on the ground and the truck ran over lower part of his body and he died in the hospital

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during treatment. Consequently, aforesaid FIR was registered and petitioner was nominated as accused. Since the offence under Sections 304-A and 279 IPC was bailable, petitioner was granted bail. However, petitioner remained absent on 18.10.2021 without intimation to the Court, which resulted into cancellation of his bail and forfeiture of bail/surety bonds to the State. No cogent reason has been given by the petitioner for his absence.

In view of the above, this petition is dismissed. However, if the petitioner surrenders before the trial Court within ten days from today and files an application for regular bail, the trial Court will decide the same expeditiously in accordance with law.

September 16, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No