

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-47474-2022

Date of Decision: 18.11.2022

Manjit Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. KS Sidhu, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

(1) Learned counsel for the petitioner contends that he was granted regular bail vide order dated 08.11.2021 (Annexure P3) by the trial court, but thereafter he absented only on one occasion i.e. 01.10.2022 in the present case before the trial court wherein show cause notice to the surety under Section 446 CrPC was issued for 19.11.2022 while cancelling the bail bonds and forfeiting the same in favour of the State.

(2) Learned counsel for the petitioner asserts that his absence is not intentional or deliberate but has occurred due to bona fide mistake on account of noting down the wrong date as 06.10.2022 and fact that in the intervening period, the daughter of the petitioner suffered an electric shock due to which she was got admitted in the hospital and in support of which, the medical report has also been annexed as Annexure P5 dated 22.09.2022 and further reviewed on 08.10.2022.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Rajiv Verma, DAG Punjab accepts notice. He, on instructions from ASI Gurdit Singh, states that there

are 4 other FIRs pending against the petitioner and in the present case as well, the recovery of 5 gms of heroin was made in a polythene he was carrying.

(5) Be that as it may, looking into the totality of the facts involved in the present case as well as the fact that the petitioner was already on regular bail and had absented only on one date, for which he has given justified reasons to explain that wrong date had been noted down and also due to electric shock suffered by the daughter of the petitioner, the petitioner is directed to surrender before the trial court on 19.11.2022. In case the petitioner moves an application seeking bail, the same may be considered on that very date and disposed of, in accordance with law.

(6) Disposed of.

18.11.2022

V.Vishal

1. Whether speaking/reasoned?

2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No

Yes/No