

126

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.52605 of 2022 (O&M)

Date of decision: 15.11.2022

Satish Kumar @ Satish Verma

....Petitioner

Versus

Sanjay Kumar

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the order dated 06.04.2022 passed by the trial Court, vide which bail/surety bonds were forfeited to the State on account of non-appearance of the petitioner and non-bailable warrants were issued against him in Criminal Appeal No.2929 of 2019, titled as “*Satish Kumar @ Satish Verma vs Sanjay Kumar*”.

Counsel for the petitioner has argued that the sentence of the petitioner was suspended by the Lower Appellate Court on 27.11.2019 and thereafter, he was regularly appearing in appeal pending before the Lower Appellate Court, however, on account of noting a wrong date, he absented the proceedings on 06.04.2022 and his bail/surety bonds were forfeited and non-bailable warrants were issued and even his counsel noted a wrong date, therefore, he could not appear before the Lower Appellate Court. It is further submitted that the petitioner is ready to surrender before the Lower Appellate Court and apply for fresh bail.

Notice of motion.

On asking of the Court, Mr. Navneet Singh, DAG, Punjab accepts notice on behalf of the respondent-State and has not disputed the factual position.

After hearing learned counsel for the parties and considering the aforesaid factual position, this petition is allowed and the petitioner is directed to appear before the Lower Appellate Court on or before 30.11.2022 and he will be released on bail subject to his furnishing fresh bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will deposit the costs of Rs.2,000/- with the District Legal Services Authority, concerned.

(ARVIND SINGH SANGWAN)
JUDGE

15.11.2022
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No