

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

CRM-M No.53643 of 2022 (O&M)

Date of decision : 18.11.2022

Baljit Singh @ Ballu

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. J.S.Thakur, Advocate for the petitioner.

PANKAJ JAIN, J. (ORAL)

By way of present petition filed under Section 482 Cr.P.C. the petitioner seeks quashing of the order dated 29.04.2022 (Annexure P-4) whereby the bail bonds and surety bonds of the petitioner have been ordered to be forfeited.

The petitioner is facing trial in FIR No.119 dated 30.08.2016 registered for offence punishable under Section 379-B IPC at Police Station Maqsudan, District Jalandhar Rural and was admitted to bail. However, on 30.03.2022 after the trial was committed, the petitioner prayed for exemption from personal appearance, which was granted. On the next date of hearing i.e. on 29.04.2022 the petitioner absented himself and order was passed to cancel his bail and bail bonds and surety bonds were forfeited.

Counsel for the petitioner submits that in the proceedings before commitment of trial, the petitioner was regularly appearing. However, owing to some communication gap, he could not appear thereafter. Thus, lapse on part of the petitioner is on account of inadvertence and is not deliberate. He submits that since the petitioner was admitted to bail he had no reason to evade appearance.

I have heard learned counsel for the petitioner and have gone through the records of the case.

In the considered opinion of the Court there is no reason that warrants interference in the order dated 29.04.2022. However, in the interest of justice, it is directed that the petitioner shall surrender before the trial Court within 7 days from today. On his doing so, his prayer for release on bail (if any), shall be decided in accordance with law within 3 days thereafter.

Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

18.11.2022

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No