

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(125)

CRM-M-54616-2022
Date of Decision: 24.11.2022

Harjinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Ms. Riffi Birla, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 482 Cr.P.C praying for quashing of order dated 4.8.2022 (Annexure P-3) passed by learned Addl. Sessions Judge, Fazilka in case titled as “State of Punjab Vs. Lakhwinder Singh @ Lukhi etc.” whereby the bail as well as bail bonds of the petitioner have been cancelled in case FIR No.26 dated 21.2.2020 registered under sections 376, 506 IPC and section 6 of POCSO Act (sections 365, 366-A, 343 IPC and section 4 of POCSO Act added later on) at Police Station, City Jalalabad, District Fazilka.

Learned counsel for the petitioner submits that petitioner was regularly attending the court proceedings, however, on 4.8.2022 he could not appear in the court as his counsel had noted the wrong date and accordingly his bail was cancelled and bail bonds were forfeited. Counsel submits that absence of the petitioner was not intentional. She submits that petitioner is ready to join the court proceedings.

Notice of motion.

On the asking of the Court, Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of respondent-State.

Learned State counsel submits that the trial is proceeding in the Trial Court.

Having heard learned counsel for the petitioner and perusing the record, it is apparent that petitioner was regularly appearing before the court concerned, however, on 4.8.2022 he could not appear inadvertently as his counsel had noted the wrong date.

In view of the above position, present petition is disposed of with a direction to the petitioner to appear before the court concerned within a period of 10 days from today with an appropriate application. If the petitioner does so, the court concerned would admit him to bail on his furnishing fresh bail/surety bonds etc. and allow him to join the proceedings. Petitioner is directed to deposit a sum of Rs.10,000/- in the Bar Association Advocates' Welfare Fund, High Court.

(RAJESH BHARDWAJ)
JUDGE

24.11.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No