

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

119-CRM-M-56100-2022

Date of Decision: 14.12.2022

Kewal Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Pankaj Garg, Advocate for the petitioner

Mr. Rajiv Verma, DAG Punjab

Sandeep Moudgil, J. (Oral)

The petitioner seeks quashing of the order dated 25.05.2022 (Annexure P1) passed by the trial court at Mansa vide which the bail order of the petitioner has been cancelled and bail/surety bonds stands forfeited to the State and non-bailable warrant has been issued to the petitioner in case FIR No.14 dated 16.04.2018 under Sections 379/411/473 IPC registered at Police Station Jaurkian, District Mansa.

Counsel for the petitioner contends that he could not appear before the trial court on 25.05.2022 on account of the fact that he met with an accident on 24.05.2022, a day prior. The petitioner suffered injuries on his legs and was advised complete bed rest by the doctor. Since he was not in a proper physical condition that is the reason he could not even inform the counsel with regard to his accident.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG Punjab accepts notice, who in instructions from HC Jagsir Singh, states that the petitioner has deliberately remained away from the proceedings wherein the

supplementary challan was filed on 17.12.2021, when the case was adjourned for 12.02.2022. Even on 12.02.2022, the petitioner did not appear and the case was adjourned to 27.04.2022. On 27.04.2022, an application for exemption was filed which was accepted by the trial court and the case was adjourned to 25.05.2022.

Learned State counsel submits that the petitioner does not deserve the concession or any kind of relief from this Court.

In the light of the aforesaid fact, it appears that the petitioner is habitual in seeking exemptions or remaining absent from the proceedings. However, to meet the ends of justice and keeping in view the fact that no prejudice would be caused to any of the parties, rather it would facilitate the proceedings of trial, in a just manner by associating the petitioner.

Be that as it may, without going into the merits of the case and further complexity, the petitioner is directed to surrender before the court below within one week from today and move application for bail on that date, and in case, any application for bail is moved on that date, the same shall be considered and disposed of same day by the trial court, in accordance with law.

Ordered accordingly.

14.12.2022

V.Vishal

(Sandeep Moudgil)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No