

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

CRM-M-57334-2022

Date of decision: 09.12.2022

Craig Pitt

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

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

NAMIT KUMAR, J. (ORAL)

Petitioner has filed this petition under Section 482 Code of Criminal Procedure for quashing of impugned order dated 11.10.2022 (Annexure P-3) passed by the learned Sub-Divisional Judicial Magistrate, Ludhiana, whereby, while cancelling his bail, the bail bonds and surety bonds were also ordered to be forfeited and non-bailable warrants of arrest have been issued on account of his absence on 11.10.2022. The impugned order arises from trial proceedings of case FIR No.115 dated 21.10.2019 (Annexure P-1) under Sections 420/120-B of IPC registered at Police Station Payal, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner was already on regular bail and thereafter, he kept on appearing before the trial Court regularly, however, on 11.10.2022, the petitioner was absent as he has noted down the wrong date i.e. 12.10.2022 instead of 11.10.2022 and the Court proceeded to cancel his bail and issued the non-bailable warrants for 24.11.2022. He further submits that the petitioner is ready and willing to join the trial proceedings and undertakes to be present in Court on each and every date.

Notice of motion.

At this stage, Mr. Adhiraj Singh, AAG, Punjab puts in appearance and accepts notice on behalf of the respondent-State and submits that even on the earlier date of hearing i.e. 16.09.2022; the petitioner did not appear and even prior thereto also, exemption applications were filed on his behalf. He could not dispute that the petitioner was already on bail.

Keeping in view the totality of the circumstances, the petitioner is directed to appear before the trial Court on or before 22.12.2022 subject to payment of Rs.50,000/- as costs to be deposited with the Punjab & Haryana High Court Bar Association. On his appearance, he shall be released on bail by the trial Court and he is allowed to remain on the same bail bonds and surety bonds. In the event of non-compliance of this order, the order dated 11.10.2022 would remain intact.

The petition is disposed off in above terms.

09.12.2022
Neha

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No