

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

112

**CRM-M-6056-2023
DECIDED ON: 15.02.2023**

Prem Singh

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Amit Arora, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J (ORAL)

Instant petition has been filed under Section 482 Cr.P.C for quashing of the order dated 07.09.2022 (Annexure P-2), passed by Chief Judicial Magistrate, Amritsar cancelling the bail of the petitioner; bail bonds forfeited and non bailable warrants of arrest had been issued against him for his non appearance in case CHA 32/2022 dated 12.01.2022 titled as "State v. Prem Singh" in case FIR No. 14 dated 19.01.2021, registered under Sections 61/1/14 of Excise Act, 1914 at Police Station Kamboj, District Amritsar Rural (Annexure P-1).

Learned counsel for the petitioner submits the petitioner could not turn up in the Court CJM, Amritsar and, hence, non bailable warrants of arrest were issued without following the mandatory provisions of law. The order of the learned trial Court is bad in the eyes of law and is liable to be set aside.

In view of the submissions made above, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within seven days and move appropriate application for grant of bail. Till then no coercive steps be taken against the petitioner. The trial Court on such application being moved shall decide it expeditiously in accordance with law. It is, however, made clear that in case the petitioner fails to appear and surrender before the Court below within the above stipulated time period, then this order shall be of no avail to him.

**(MANJARI NEHRU KAUL)
JUDGE**

15.02.2023
mamta

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*