

117 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M -8619-2023

Date of Decision: 17.02.2023.

SHUBHAM KUMAR

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Yashpal Thakur, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner has assailed the order dated 06.12.2022 passed by the learned trial Court vide which his bail order has been cancelled, bail and surety bonds have also been cancelled and forfeited to the State and he has been ordered to be summoned through non-bailable warrants.

The petitioner was stated to have been admitted on bail in terms of the order dated 06.11.2019.

Learned counsel for the petitioner contends that this is first default on the part of the petitioner and on account of some health issues, he could not appear in the trial Court on 06.12.2022. The next date of hearing in the trial Court is stated to be 02.03.2023. Learned counsel for the petitioner has made limited request that the petitioner undertakes to surrender in the trial Court on or before 02.03.2023 and in the meanwhile, he may be protected.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of the respondent-State and submits that keeping in view the limited request, the appropriate order may be passed.

The petitioner is disposed of with a direction that the petitioner shall surrender before the trial Court on or before 02.03.2023 and move an application for regular bail in the trial Court. The arrest of the petitioner may not be effected till the disposal of the bail application and for a period of two weeks thereafter in the event the bail application is dismissed by the learned trial Court. However, this order is without prejudice to any proceedings under Section 446 Cr.P.C. that may be initiated against the petitioner and his surety.

17.02.2023

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(VIVEK PURI)**JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No