

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

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**CRM-M-11481-2023
Date of decision: 15.03.2023**

Balwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lakshay Bector, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking quashing of order dated 05.05.2022 (Annexure P-4) passed by learned Additional Sessions Judge, Ludhiana vide which bail/surety bonds of the petitioner were cancelled and non-bailable warrants were issued against him in case FIR No.245 dated 08.12.2019 under Section 379 of the IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Sidhwan Bet, District Ludhiana.

Learned counsel for the petitioner submits that on 05.05.2022 the petitioner could not appear before the Trial Court due to miscommunication between him and his counsel which led to cancellation of his bail/surety bonds and issuance of non-bailable warrant against him. He submitted the petitioner was willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

Notice of motion.

On asking of the Court, Mr. Ramdeep Partap Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner.

It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided expeditiously by the Trial Court in accordance with law.

15.03.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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