

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

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CRM-M-10773-2023
Date of Decision: 02.03.2023

Pargat Singh and another
.....Petitioners
Versus
State of Punjab
.....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Damanjit Singh Sandhu, Advocate
for the petitioners.

Mr. H.S. Sitta, DAG, Punjab.

ANOOP CHITKARA, J.

Seeking quashing of order dated 19.11.2022 (Annexure P-1) passed by learned PCS, SDJM, Nihal Singh Wala, whereby the bail bonds of the petitioners have been cancelled and non-bailable warrants have been issued against the petitioners in FIR No.88 dated 10.07.2019 registered under Sections 406, 420, 467, 468, 471, 120-B IPC at Police Station Badhni Kalan, District Moga, the petitioners have come up before this Court under Section 482 CrPC.

Counsel for the petitioners submits that the petitioners *prima facie* mis-read the order dated 29.10.2022 passed by this Court in CRM-M-11718-2020 and thought that there is an exemption to appear before the trial Court and consequently they did not appear, which resulted into impugned order dated 19.11.2022, whereby, bail/surety bonds of petitioners were cancelled.

Although there was no specific stay qua appearance of the petitioners before the trial Court but once this Court had stayed the proceedings and trial was at stand still, the trial Court should not have gone by cancelling the bail/surety bonds instead to opt for issuance of notices.

Since the trial is stand still and due to non-appearance of petitioners, no one is going to prejudice, therefore, the order dated 19.11.2022 is set aside. The petitioners are directed to appear before the trial Court on the next date of hearing and so on, in the ensuing dates.

Petition is allowed in the terms mentioned above and bail/surety bonds of petitioners are restored. Pending applications if any stand disposed of.

(ANOOP CHITKARA)
JUDGE

02.03.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no