

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

CRM-M-19488-2023

Date of decision: 20.04.2023

Jaswinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Gurmeet Singh Saini, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

This petition under Section 482 Cr.P.C. is filed seeking quashing of order dated 15.03.2023 (Annexure P-59) whereby bail bonds of the petitioner have been cancelled, forfeited and arrest warrant issued.

The petitioner was granted bail in case of FIR No.96 dated 10.07.2017 under Sections 452/382/323/34 of IPC, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Makhu, District Ferozepur. He was appearing regularly, however, he failed to appear on 15.03.2023 and the impugned order was passed.

Learned counsel for the petitioner submits that the petitioner is driver by profession and had gone to Nepal along with truck and due to non-clearance of vehicle from the Nepal border, he failed to appear before the learned trial Court. He further submits that the Ld. Trial Court has issued proclamation under Section 82 of Cr.PC, on 29.03.2023 for 01.05.2023 and the petitioner would surrender before the trial court on the date fixed.

Notice of motion.

Mr. Adhiraj Singh, AAG, Punjab appearing on advance notice accepts the same and opposes the prayer made in the petition. He submits that

the petitioner was intentionally delaying the trial.

There is no dispute that it was the first default of the petitioner. Without commenting on the explanation put forth, considering the facts and circumstances in totality and to ensure that there is no further delay in the trial, let the petitioner surrender before the trial court within a period of one week from today. On his surrender, the petitioner shall be released on bail on the bonds already furnished. The trial court would be at liberty to impose further conditions if deemed necessary to ensure the presence of the petitioner during the trial.

The petition is disposed of.

20.04.2023
Parveen kumar

(NAMIT KUMAR)
JUDGE

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