

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.20063 of 2023
Date of decision: 24th April, 2023

Sonu Kamboj
... Petitioner

Versus

HDFC Bank & another
... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rhythem Bajaj, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is praying for setting aside of the order dated 13.03.2023 (Annexure P-6) passed by learned Judicial Magistrate 1st Class, Fazilka vide which his bail was cancelled and the bail/surety bonds were forfeited to the State in case bearing No.NACT/1616/2018 dated 27.09.2018 titled as 'HDFC Bank vs. Sonu Kamboj' (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the trial Court and it was only on one date i.e. 13.03.2023 that he was unable to put in an appearance on account of fact that he had to appear in TET Examination at Faridkot. In support, learned counsel has placed on record copy of Admit Card of the petitioner as Annexure P-3. He submits that it was thus, for a genuine reason that the petitioner was

unable to put in an appearance before the Court. At the outset, learned counsel for the petitioner submits that the petitioner is ready to appear and surrender before the trial Court, and therefore, he be protected till then.

I have heard learned counsel for the petitioner and perused the relevant material on record.

In view of the limited prayer made by the learned counsel for the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within seven days from today and move appropriate application for grant of bail. Till then, no coercive steps shall be taken against the petitioner. The trial Court, on such application being moved, shall decide it expeditiously, preferably within 2 days, in accordance with the provisions of law. However, it is made clear that in case the petitioner fails to surrender before the Court below within the above stipulated time period, this order shall be of no avail to him.

(MANJARI NEHRU KAUL)
JUDGE

April 24, 2023
rps

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