

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

**CRM-M-21906-2023
DECIDED ON: 01.05.2023**

PALWINDER SINGH @ PAPPI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 482 of Cr.P.C., for quashing of order dated 06.04.2023 (Annexure P-7), whereby the bail bonds/surety bonds of the petitioner stands cancelled and non-bailable warrants of arrest have been issued against the petitioner for 04.05.2023.

Learned counsel for the petitioner contends that it is only on that specific date, when the petitioner became absent that too by moving an application for exemption on account of the fact that he was suffering from spinal pain, as is evident from medical certificate dated 09.03.2023 and 06.04.2023 (Annexures P-4 & P-6 respectively).

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab, accepts notice on behalf of respondent-State, who asserts that though the application for exemption of the petitioner was supported with medical certificate, but no

such eventuality of remaining him absent from trial could be made out from medical certificate, therefore, trial court has rightly issued the non-bailable warrants, while cancelling his bail bonds and surety bonds vide order dated 06.04.2023.

Be that as it may, considering the fact that appearance of the petitioner would only fasten the trial Court proceedings and reach to a legal conclusion, which would consequently help in furtherance of justice and also the fact that it was only the sole opportunity on which the petitioner was absent that too by moving an application for exemption. As, it is not necessary to go into the correctness of medical certificate, it would be in the interest of justice that the order dated 06.04.2023 (Annexure P-7) be set aside.

Petition is accepted.

The petitioner is directed to surrender before the trial Court within a period of one week from today. In case, he moves any application for regular bail, the same shall be considered by the Court below on that very day in accordance with law.

The order dated 06.04.2023 (Annexure P-7) is hereby quashed.

(SANDEEP MOUDGIL)
JUDGE

01.05.2023

Meenu

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