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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24511-2023

Date of Decision: May 15, 2023

Prem Sagar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Ritesh Pandey, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for quashing the order dated 14.12.2022 and 24.04.2023, Annexures P-2 and P-3 respectively, vide which the Court below has cancelled the bail bonds and surety bonds of the petitioner and forfeited the State and issued non-bailable warrants of the petitioner in case FIR No.6, dated 10.01.2019, under Section 188 IPC, registered at Police Station City Batala in District Batala.

Learned counsel for the petitioner has submitted that petitioner was regularly appearing before the Court, however, he is about 80 years of age and suffering from various age related diseases and some times he forgets the date and due to this reason he could not appear on 14.12.2022 and hence his bail/surety bonds were cancelled and forfeited to the State and non-bailable warrants were issued. He submits that the petitioner is ready to join the proceedings and contest the case on merits.

Notice of motion.

On asking of the Court, Mr.Sandeep Kumar, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State.

Learned State counsel has stated that the trial Court has rightly

cancelled the bail order of the petitioner and issued non-bailable warrants against him as he remained absent from the proceedings without any reasonable cause.

Heard.

This Court is of the view that no useful purpose would be served by sending the petitioner behind the bars rather it will be appropriate if the petitioner is directed to face trial. As he is ready to join the proceedings and undertakes not to repeat the default again, the present petition is disposed of and orders dated 14.12.2022 and 24.04.2023, Annexures P-2 and P-3 are set aside subject to payment of Rs.5,000/- as costs to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh, by the petitioner within a period of seven days from today. In case, the petitioner appears and surrenders before the Court concerned within a period of ten days from today and files an application for bail alongwith receipt of costs, the Court concerned would grant him bail to its satisfaction. He will have protection from arrest for a period of 10 days from today.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and orders under challenge dated 14.12.2022 and 24.04.2023 would come in force.

May 15, 2023

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No