

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

CRM-M-26207-2023

Date of decision : 21.11.2023

MANINDERPREET SINGH

....Petitioner

Versus

STATE OF UT CHANDIGARH

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Pankaj Bains, Advocate for
Mr. Randeep S. Warraich, Advocate for the petitioner.

Mr. Yashwant S. Rathore, Addl. P.P., U.T., Chandigarh with
Mr. Yuvraj Rathore, Advocate with
ASI Padam Singh, PS Sector 11, Chandigarh.

PANKAJ JAIN, J. (ORAL)

Vide order dated 31st of May, 2023 the petitioner was directed to appear before the Trial Court within 7 days and was ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned trial Court/JMIC observing as under :

“Learned counsel for the petitioner inter alia contends that vide order Annexure P-4 dated 23.01.2023 passed by JMIC, the petitioner has been declared proclaimed person in the case FIR No. 30 dated 20.02.2020 under Section 380 IPC registered at Police Station, Sector-11, Chandigarh, Annexure P-1, and after being arrested in the case on 27.04.2020, he was granted regular bail and thereafter he had appeared before the trial Court but later due to some mis-communication in the date noted, he could not appear in the Court which leads to cancellation of his bail and he being declared proclaimed person vide Annexure P-4. He further submits that impugned order Annexure P-4 has been passed without appreciating the provisions envisaged under Section 82 Cr.P.C. and that the petitioner is ready to appear in the trial Court and face the trial.

2. Learned counsel for U.T. Chandigarh submits that petitioner has intentionally absented himself from the proceedings. He has also placed on record the custody certificate showing the petitioner having remained in custody for about 10 days prior to grant of regular bail.

3. As per learned counsel for the petitioner, the petitioner only absented once on the aforesaid date. He prays for grant of interim bail so that he could appear before the trial Court and further undertakes that in future the petitioner will not absent himself without seeking prior permission of the Court.

4. Without commenting on the merits of the case and keeping in view the above facts and circumstances of the case, the petitioner is directed to appear in the trial Court within 07 days and in that event he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned trial Court/JMIC. The petitioner will also furnish the undertaking in the trial Court that he will regularly appear in the Court in future and only in case of extreme urgency he will seek the prior permission from the Court qua the exemption.

5. List on 12.07.2023.”

2. Counsels are ad idem that the petitioner has indeed appeared before the Trial Court. Resultantly, order dated 23rd of January, 2023 impugned in the present petition has already lost its relevance as the petitioner undertakes to appear before the Trial Court regularly.

3. In view of above, nothing survives in the present petition to adjudicate at the hands of this Court. Consequently, order dated 31.05.2023 is made absolute.

November 21, 2023

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No