

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

CRM-M-28147 of 2023

Date of Decision: 31.05.2023

Deepak Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.Manpreet Singh Dua, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J (ORAL)

This is a petition filed under Section 482 Cr.P.C. for setting aside the impugned order dated 06.02.2023 (Annexure P-3) passed by Addl. Sessions Judge, Fazilka whereby the bail was cancelled and bonds were forfeited on the ground of absence of the petitioner on a particular date.

Learned counsel for the petitioner submits that the petitioner was not well and had moved an application for seeking exemption on account of his ill health. The next date granted by the learned trial Court was also wrongly marked as 06.03.2023 instead of 06.02.2023 by the counsel, resulting, petitioner of not being present on 06.02.2023.

I have considered the submissions made by the counsel for the petitioner and taking into consideration the medical report that the petitioner was suffering from the disease of Epilepsy and also the petitioner is not the main accused, I am inclined to allow this 482 petition and set aside the order dated 06.02.2023 passed by the Addl. Sessions Judge, Fazilka and restore the bail bonds with the directions to the petitioner that henceforth the

petitioner shall remain present on all dates.

Accordingly, the present petition is allowed.

(SANJEEV PRAKASH SHARMA)

JUDGE

31.05.2023

Raman

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No