

CRM-M-29828 of 2023

[1]

2023:PHHC:082872

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-29828 of 2023

Date of decision:03.07.2023

Baljeet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Jaskamal Singh Grewal, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure (for short “the Code”), petitioner has approached this Court for quashing of order dated 20.03.2023 (Annexure P-4), whereby, bail bonds furnished by the accused-petitioner, have been cancelled and forfeited to the State.

2. Counsel for the petitioner submits that the petitioner is one of the accused in FIR No.56 dated 24.06.2020 lodged for offences under Sections 341, 323, 148, 149 IPC at Police Station Jaurkian, District Mansa (Annexure P-1). Counsel submits that petitioner was released on bail by the Trial Court and he is facing trial. He submits that due to family exigency, petitioner and a co-accused could not appear before the Trial Court on 20.03.2023 when the impugned order was passed. He submits that co-accused, Nanak Singh, surrendered before the Trial Court on the subsequent date and he was directed to furnish fresh bonds. Counsel submits that non-bailable warrants have been issued against the petitioner for 19.07.2023 and

the petitioner is ready to surrender before the Trial Court and join the proceedings within any reasonable time granted by this Court.

3. Notice of motion.
4. On asking of the Court, Mr. Arun Gupta, AAG, Punjab accepts notice on behalf of the respondent. He has opposed the petition by urging that this is the second default as the petitioner had failed to appear before the Trial Court in June, 2022.
5. I have considered the submissions made by counsel for the parties.
6. Although the petitioner had committed a default in appearance on an earlier occasion, but this Court is of the view that since the offer made by the petitioner seems to be sincere, he deserves to be granted an opportunity to appear before the Trial Court. Consequently, it is directed that in case the petitioner surrenders before the Trial Court within a period of three weeks from today and joins the proceedings, he shall be released on bail on his furnishing fresh bail/surety bonds to the satisfaction of the Trial Court.
7. With the above observations, petition is disposed of.

July 03, 2023

savita

(SUVIR SEHGAL)

JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No