

2023:PHHC:115308

CRM-M-37711-2023 (O & M)
(278)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37711-2023 (O & M)
Date of Decision: 31.08.2023

Hans Raj Singh

... Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bhavesh Aggarwal, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the order dated 16.02.2023 (Annexure P-4) passed by the Judicial Magistrate Ist Class, Ludhiana in case bearing FIR No.61 dated 13.05.2022 under Section 379 IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Ladhuwal, District Ludhiana City, wherein the bail bonds furnished by the petitioner had been forfeited to the State and non-bailable warrants of arrest had been issued.

On 03.08.2023, the following order was passed in this case:-

“The prayer in the present petition under Section 482 Cr.PC is for quashing of the order dated 16.02.2023 (Annexure P-4) passed by the Judicial Magistrate Ist Class, Ludhiana in case bearing FIR No.61 dated 13.05.2022 under Section 379 IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957

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registered at Police Station Ladhuwal, District Ludhiana City, wherein the bail bonds furnished by the petitioner had been forfeited to the State and non-bailable warrants of arrest had been issued.

The learned counsel for the petitioner contends on account of noting down of a wrong date, the petitioner was unable to appear before the Trial Court on 16.02.2023 because of which the impugned order came to be passed. He states that the petitioner is ready and willing to join the proceedings once again.

Notice of motion for 31.08.2023.

In the meanwhile, the petitioner is directed to surrender before the Trial Court within a period of one week from today and subject to a deposit of Rs.50,000/- as costs with the Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund, Account No.41564846387, SBI High Court Branch, IFSC:- SBIN0050306, he shall be admitted to interim bail to the satisfaction of the trial Court.

The learned counsel for the petitioner shall produce the receipt regarding deposit of Rs.50,000/- with the aforesaid Bar Association as well as a copy of the order of the Trial Court granting interim bail to the petitioner on the next date of hearing”.

On 10.08.2023, the following order was passed in this case:-

“The prayer in the application under Section 482 Cr.PC is for modification of the order dated 3.8.2023 whereby the petitioner had been directed to deposit Rs.50,000/- with Punjab & Haryana Hih Court Bar Association, Chandigarh Lawyers Family Welfare Fund.

Heard.

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No ground is made out to modify the aforesaid condition.

Dismissed.

However, on request made by the counsel for the applicant/petitioner, he is granted one week more time to comply with the order dated 03.08.2023.”

In compliance of the aforementioned orders, the petitioner has surrendered before the Trial Court and has since been released on interim bail.

In view of the above, no further orders are required to be passed in this case. Disposed of.

It is expected that the petitioner shall henceforth not absent himself from the Trial but for a sufficient cause.

(JASJIT SINGH BEDI)
JUDGE

August 31, 2023
sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No