

S. No.125

2023:PHHC:141768

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

CRM-M-56127 of 2023

Date of Decision:07.11.2023

Lovejot Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mayank Gupta, Advocate for Mr. Hitesh Chopra,
Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 482 Cr.P.C., prayer has been made by the petitioner for quashing of impugned order dated 28.08.2023 (Annexure P.5) passed by learned Additional Sessions Judge, Gurdaspur in case FIR No.052 dated 04.05.2021 registered under Sections 307, 324, 323, 326, 148, 149 IPC at Police Station Sadar Gurdaspur District Gurdaspur whereby bail earlier granted to the petitioner has been cancelled and surety bonds were forfeited to the State and warrants of arrest have been directed to be issued against him.

It is contended by learned counsel for the petitioner that petitioner was on bail. The date fixed before the trial Court was 28.08.2023. On that day, petitioner could not appear due to wrong noting of the date as petitioner had inadvertently noted the date to be 28.09.2023 instead of 28.08.2023. Because of his non-appearance on the said date, his bail was cancelled vide impugned order dated 28.08.2023 and warrants of arrest have been issued against him.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State.

This petition is hereby disposed of with direction to the petitioner to surrender before the trial Court on or before 20.11.2023. On his such appearance, the trial Court will be at liberty to initiate proceedings under Section 446 Cr.P.C. After disposal of those proceedings, petitioner shall be admitted to bail to the satisfaction of the trial Court concerned. Till the disposal of proceedings under Section 446 Cr.P.C., the petitioner shall not be taken into custody. However, in the meantime, if petitioner is sought to be arrested on account of warrants of arrest having been issued against him, he shall be admitted to interim bail to the satisfaction of the Arresting Officer.

November 07, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No