

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

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**CRM-M-59370-2023
Date of decision: 06.12.2023**

GUPREET SINGH @ GOPI

....Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sahil Puri, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seek quashing of the impugned order dated 11.10.2023, which is enclosed as Annexures P-3, with the instant petition. Vide the impugned order (supra), non-bailable warrants of arrest have been issued against the petitioner.

2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court was neither intentional nor wilful, as petitioner had been regularly appearing in the trial court proceedings. What led to the petitioner remaining unrepresented before the learned trial court on the relevant date, was that, the Clerk of the counsel representing the petitioner before the learned trial Court concerned inadvertently noted down wrong the date of hearing.

3. Though the learned counsel for the petitioner has herein challenged the impugned order (supra), however, he could not cite any illegality or perversity

therein. Therefore, he submits that the petitioner is ready and willing to join the trial proceedings, in case he is granted adequate protection.

4. Relying upon an order passed by this Court, on 06.11.2028 (Annexure P-2), whereby, the petitioner was granted the concession of bail, the learned counsel for the petitioner submits that the petitioner apprehends his arrest, in case he surrenders before the learned trial Court concerned.

5. Since the learned counsel for the petitioner is not assailing the validity of the impugned order (supra), therefore, the impugned order is upheld. However, in case, the petitioner surrenders before the learned trial Court concerned within 10 days from today and thereupon, makes an application for grant of regular bail, the learned trial Judge concerned shall make an endeavour to decide the said application on the same day itself. The arrest of the petitioner shall remain stayed until 10 days from today. However, in case, the petitioner fails to appear before the learned trial Court concerned within 10 days from today, the protection granted hereinabove qua his arrest shall stand automatically vacated.

6. Disposed of accordingly.

06.12.2023
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No