

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

131

**CRM-M-59849-2023
Date of decision: 04.12.2023**

SATBIR SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. B.S. Bhalla, Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of the impugned orders dated 20.07.2023, which is enclosed as Annexures P-1, passed by Additional Sessions Judge, Amritsar in FIR No.89 dated 30.08.2017, under Sections 307, 506 and 34 IPC, 1860 (Sections 25 and 27 of Arms Act, 1959, registered at Police Station Maqboolpura, District Amritsar and all other proceedings arising therefrom. Vide the impugned order (supra), the bail of the petitioner has been cancelled and his bonds have been forfeited, besides his warrants of arrest have also been issued.

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 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 25.09.2017, whereby, the petitioner was granted the concession of anticipatory 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 15 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 15 days from today. However, in case, the petitioner fails to appear before the learned trial Court concerned within 15 days from today, the protection granted hereinabove qua his arrest shall stand automatically vacated.
6. Disposed of accordingly.

04.12.2023
amandeep

(KULDEEP TIWARI)
JUDGE

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