

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

(127)

CRM-M-61956-2023
Date of decision:- 11.12.2023

Karamjit Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Lakshay Bector, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner has moved this Court seeking quashing of order dated 17.03.2022, Annexure P-4, passed by the learned Additional Sessions Judge, Ludhiana, whereby his bail order was cancelled and bail/surety bonds were forfeited to the State.
2. Counsel for the petitioner submits that the petitioner has been named as an accused in FIR No.278 dated 13.09.2018, registered for offence under Section 379, IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 at Police Station Sidhwan Bet, District Ludhiana, Annexure P-1 and by order dated 03.10.2018, Annexure P-2, interim protection granted to the petitioner was made absolute by the learned Additional Sessions Judge, Ludhiana. He submits that the petitioner has been constantly appearing before the Trial Court, but due to his non-appearance on 17.03.2022 because of miscommunication, the impugned order was passed and non-bailable warrants were issued to secure his presence. Counsel submits that the petitioner had challenged a subsequently

passed order before this Court and the petition was withdrawn with liberty to approach this Court afresh after annexing all the zimini orders. Counsel submits that the petitioner is prepared to co-operate with the trial.

3. Notice of motion.

4. On asking of the Court, Mr. A.P.S.Tung, DAG, Punjab accepts notice on behalf of the State-respondent. Upon instructions received from ASI, Manjeet Singh, he submits that petitioner is not involved in any other criminal case, though he has opposed the prayer made in the petition.

5. Having heard counsel for the parties and considering their respective submissions as also noticing the allegations levelled against the petitioner, this Court is of the view that the petitioner deserves to be granted an opportunity to appear before the Trial Court.

6. Accordingly, petitioner is directed to surrender before the Trial Court on or before 24.12.2023. In case, he does so and moves an appropriate application, he shall be released on bail on furnishing fresh bail/surety bonds to the satisfaction of the Court concerned. This will be subject to deposit of cost of Rs.10,000/- with the Social Welfare Fund Committee of Bar Clerks Association Punjab and Haryana High Court at Chandigarh, which shall be a condition precedent to his release on bail. The receipt of deposit will be furnished by the petitioner before the Trial Court.

7. Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

11.12.2023

Kamal

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