

CRM-M-62438-2023

Date of Decision: 12.12.2023

Jasneel Singh Sekhon

...Petitioner

vs.

State of U.T., Chandigarh

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Dilraj Singh Bhinder, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr.P.C. with a prayer to quash the order dated 10.11.2023 (Annexure P-5) passed by the Judicial Magistrate 1st Class, Chandigarh in case FIR No.11 dated 04.02.2016 under Section 379 IPC, registered at Police Station Sector-19, Chandigarh, whereby the bail granted to the present petitioner was ordered to be cancelled and the bail bonds and surety bonds were forfeited to the state.

2. Learned counsel for the petitioner contends that the petitioner was granted the concession of anticipatory bail by this Court vide order dated 27.03.2018 (Annexure P-3). After that, the petitioner had never misused the concession of anticipatory bail granted by this Court and appeared on each and every date of hearing. However, he had noted the date before the trial Court wrongly and due to the said fact, he could not appear on 10.11.2023 before the trial Court. He further contends that the petitioner is ready to surrender before the trial Court and join the trial.

3. Notice of motion.

4. On the asking of the Court, Ankur Bali, Addl. P.P. for U.T., Chandigarh, who is present in the Court, accepts notice on behalf of the respondent.

5. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is directed to surrender before the trial Court/Duty Magistrate, within a period of 10 days from today and on his appearance, he shall be admitted to interim bail subject to the furnishing of surety bonds/bail bonds to the satisfaction of the trial Court/Duty Magistrate. The petitioner shall also file an affidavit before the trial Court that he shall appear before the learned trial Court on each and every date of hearing fixed before the trial Court and shall not absent before the trial Court, without prior permission of the Court.

6. The trial Court is at liberty to impose any other conditions, which may be deemed fit and appropriate in the peculiar facts and circumstances of the present case. The concerned Court shall be at liberty to take into consideration the earlier bail bonds furnished by the petitioner.

12.12.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No