

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

CRM-M-63662-2023

Date of Decision:21.12.2023

Sukhjinder Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Ashu Rama, Advocate for
 Mr. Umesh Sharma, 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 13.10.2023 (Annexure P-24) passed by the Court of Additional Sessions Judge, Hoshiarpur, whereby the bail order of the petitioner was cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest.

2. Learned counsel for the petitioner contends that one case i.e. FIR No.5 dated 03.02.2012, under Sections 323, 325, 452, 506, 148, 149 of IPC, Police Station Sadar, Hoshiarpur was ordered to be registered against the present petitioner. She further contends that the Sessions case No.SC/11/2019 titled as "State of Punjab Vs. Naresh Kumar @ Meenu Chopra and another" is pending against the present petitioner and the petitioner was on bail in the said case. She further contends that after grant of bail, the petitioner was regularly appearing before the trial Court. However, the matter was listed on 13.10.2023 and the petitioner reached the Court at 11.30 am. However, at about 11.15 am

on 13.10.2023, the Court had called the case twice and due to absence of the petitioner, the bail order of the petitioner was ordered to be cancelled. Learned counsel for the petitioner contends that the petitioner is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. Mr. M.S. Bajwa, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent-State.

5. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had not appeared intentionally before the Trial Court and does not deserve the concession of bail and the petition is liable to be dismissed by this Court.

6. I have heard the learned counsel for the parties and perused the record.

7. The petitioner was granted the concession of regular bail and was regularly appearing before the Trial Court; however, on one date i.e. 13.10.2023, he could not appear before the Trial Court. Consequently, taking a lenient view of the matter, the petitioner is permitted to surrender before the Additional Sessions Judge, Hoshiarpur/Trial Court/Duty Magistrate within a period of ten days from today and on his surrender, he shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court.

8. At the time of furnishing of bail bonds the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before

the Court on each and every date of hearing and shall not absent himself during the court proceedings, except with prior permission of the Court.

9. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

10. The petition stands allowed in abovesaid terms.

21.12.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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