

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CRM-M-1718-2024 (O&M)
Date of decision : 12.01.2024

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Kuljit Kaur, Advocate
for the petitioner.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 482 of Cr.P.C. by the petitioner seeking quashing of order dated 17.08.2023, passed by Sub Divisional Judicial Magistrate, Bholath in case titled as *State Vs Sandeep Singh* arising out FIR No. 60, dated 06.09.2018, registered under Sections 323, 452, 354, 511, 509 and 506 of IPC at Police Station Bholath, District Kapurthala, whereby the bail and surety bonds of the petitioner have been forfeited to the State and arrest warrants have been issued against him.
2. Learned counsel for the petitioner submits that the petitioner has been arrayed as an accused in the aforesaid FIR. He was on anticipatory bail granted by the Additional Sessions Judge, Kapurthala, vide order dated 12.03.2020. He is serving in Indian army and his job is transferable. He was regularly appearing before the trial Court. However, on 17.08.2023, he could not appear before the Court as he could not secure leave for the said date and his counsel also did not appear in Court. Due to his non-appearance on the said date, his bail and surety bonds have been forfeited to the State and arrest

warrants have been issued against him. He further submits that the absence of the petitioner is neither willful nor deliberate and is only on account of the reason aforesaid. He submits that the petitioner is ready and willing to join the proceedings and prays that one more opportunity may be granted to him to surrender before the learned trial Court.

3. I have heard learned counsel for the petitioner and have perused the material placed on record. A perusal of the zimini orders placed on record by the petitioner shows that the petitioner was regularly appearing before the Court. However, he absented on 17.08.2023, consequent to which, his bail and surety bonds have been forfeited to the State and arrest warrants have been issued against him. The petitioner has submitted that he is willing to join Court proceedings and has also undertaken that he will appear on each and every dated fixed by the trial Court. Since the presence of the petitioner before the trial Court would help in speedy conclusion of trial, this Court is of the considered opinion that he deserves to be given an opportunity as claimed by him.

4. Accordingly, the present petition is disposed of. The petitioner is directed to surrender before the trial Court within a period of ten days from today. On doing so, the trial Court shall release him on bail, subject to his furnishing fresh personal/surety bonds to its satisfaction. Till the appearance of the petitioner before the trial Court, his arrest shall remain stayed.

12.01.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No