

128 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:005357
CRM-M-2221-2024
Date of Decision: January 16, 2024

Baljit Singh alias Ganja ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Goyal, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner prays for quashing of the order dated 20.12.2023 (Annexure P-4) passed by learned Sessions Judge, Sangrur, in case FIR No.33 dated 10.02.2022, under Sections 325, 323, and 34 of IPC (Section 308 IPC added later on), registered at Police Station City Sunam, District Sangrur, whereby bail of the petitioner was cancelled and warrants of arrest have been issued against him.

2. Learned counsel for the petitioner contends that the petitioner was on bail and was appearing before the Court regularly. On 28.11.2023, his appearance was exempted and the matter was adjourned to 20.12.2023. However, his counsel did not communicate the date to him due to which the petitioner could not appear before the Court concerned on 20.12.2023, on account of which, his bail was cancelled and warrants of arrest were directed to be issued against him. Learned counsel contends that it is because of mis-communication of the date that the petitioner did not appear and that he is ready to surrender before the Trial Court and he be provided necessary protection.

4. Notice of motion.

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5. Mr. Karunesh Kaushal, AAG, Punjab accepts notice on behalf of respondent -State.

6. Learned State counsel has drawn attention towards the conduct of the petitioner and has prayed for dismissal of the petition.

7. This petition is hereby disposed of with a direction to the petitioner to surrender before the Trial Court on or before 09.02.2024. On his such surrender, the Trial Court shall initiate the proceedings under Section 446 Cr.P.C. against the petitioner and after disposal of those proceedings, shall grant bail to him. Till the disposal of the proceedings under Section 446 Cr.P.C., the petitioner shall not be taken into custody. If in the meantime, due to issuance of warrants of arrest against the petitioner, he is sought to be arrested, he shall be admitted to interim bail to the satisfaction of the Investigating Officer.

January 16, 2024

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No