

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:007887
CRM-M-3163-2024
Date of Decision: January 20, 2024

Sahil ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lalit Sharma, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 482 Cr.P.C., petitioner has challenged the order dated 18.12.2023 (Annexure P-5), whereby his bail was cancelled and warrants of arrest were directed to be issued against the petitioner in a case titled as “*State of Punjab v. Baljit Singh alias Garibu etc.*”, arising out of FIR No.0134 dated 21.06.2018, under Section 323, 341 148, 149 and 120-B of IPC (Section 307 IPC added later on), registered at Police Station Rama Mandi, District Jalandhar, pending in the Court of learned Addl. Sessions Judge, Jalandhar.

2. Learned counsel for the petitioner contends that the petitioner was on bail and was attending the Court proceedings. Learned counsel contends further that on 18.12.2023, petitioner could not appear due to misunderstanding of the date; that his absence was not intentional. Learned counsel contends further that petitioner is ready to surrender before the Trial Court concerned.
3. Notice of motion.
4. Mr. Karunesh Kaushal, AAG, Punjab accepts notice on behalf of respondent -State.

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

6. This petition is hereby disposed of with a direction to the petitioner to surrender before the Trial Court on or before 06.02.2024, the date already stated to be fixed thereat. 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 20, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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