

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-3895-2024
Date of Decision : January 24, 2024

SANDEEP SINGH -PETITIONER

V/S

SHIVJI RAM AND ANR -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kulwinder Singh, Advocate
for the petitioner.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of the order dated 06.12.2023 (Annexure P-6), whereby, the bail of the petitioner, as granted vide order dated 14.06.2023 (Annexure P-2), has been cancelled and his bail bonds and surety bonds have been forfeited.
2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court was neither intentional nor wilful, rather was *bona fide*, as, pursuant to the grant of bail, he had been regularly appearing in the trial court proceedings. What led to the petitioner remaining unrepresented before the learned trial court on the relevant date, was that, the petitioner inadvertently noted down wrong date of hearing.
3. Though the learned counsel for the petitioner has herein challenged the impugned order (supra), however, he could not cite any illegality or perversity therein. Therefore, he submits that the petitioner is

ready and willing to join the trial proceedings, in case he is granted adequate protection.

4. Considering the hereinabove made submissions and innocuous prayer of the learned counsel for the petitioner, though this Court does not find any illegality or perversity in the impugned order (supra), however, taking a lenient view, this Court, at this stage, deems it appropriate to grant an opportunity to the petitioner to appear before the learned trial Court concerned.

5. Consequently, the instant petition is disposed of with a direction to the petitioner to, within a week from today, appear before the learned trial Court concerned. In case, the petitioner appears before the learned trial Court concerned and makes an application for grant of bail, the latter shall make an endeavour to decide the said application on the same day itself, while taking a sympathetic and lenient view. The arrest of the petitioner shall remain stayed only for a week from today. However, in case, the petitioner fails to appear before the learned trial Court concerned within the above stipulated period, the protection granted hereinabove *qua* his arrest shall stand automatically vacated, without any further reference to this Court.

January 24, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No