

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(125)

CRM-M-4550-2024
Date of Decision:-30.01.2024

Veeru @ Veer Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Impinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition is for quashing of impugned order dated 18.10.2023 (Annexure P-3), vide which the bail bonds and surety bonds of the petitioner were forfeited on account of the absence of the petitioner on the date fixed by trial Court.

2. Learned counsel for the petitioner submits that the petitioner was granted the concession of anticipatory bail by this Court which was made absolute vide order dated 22.03.2018 (Annexure P-2) and had been regularly appearing for more than 5 years in the trial.

3. However, on account of wrong noting of the date, he could not present himself on 18.10.2023 and subsequently, when he came to know about the impugned order, he immediately moved an appropriate application for bail before the Sessions Court, however, finding that the

anticipatory bail at the first instance has been granted by this Court only,

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withdrew the same by recording a statement that due to technical reasons, he did not want to proceed with the bail application.

4. I have heard learned counsel for the petitioner. The Hon’ble Supreme Court of India in case titled as “*Krishna Sharma @ Krishna Kumar Sharma Vs. The State of West Bengal and another*” SLP (Crl.) No. 12829 of 2023, held the relevant part is reproduced as under:

“However, we find that merely because the appellant did not appear personally could not have been a ground for cancellation of bail. The parameters for grant of bail and cancellation of bail are totally different. The bail already granted may be cancelled, if it is found that the person who has been granted the benefit of bail has violated any of the conditions or misused the liberty by influencing the witnesses or tampering with the evidence.”

5. Considering the ratio of law as laid down by the Hon’ble Supreme Court of India, the petitioner is directed to surrender before the trial Court within one week from today and shall be released on bail by furnishing fresh bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate concerned.

6. With the above said direction, the present petition stands disposed of.

(ALOK JAIN)
JUDGE

January 30, 2024
Parul

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