

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4611-2024
Decided on-30.01.2024

BHAGWANT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Priyanshu Kamra, Advocate for
Mr. Varinderpal K. Sandhu, Advocate
for the petitioner.

SANDEEP MOUDGIL, J(ORAL)

1. The jurisdiction of this Court under Section 482 Cr.P.C. has been invoked for quashing of impugned order i.e. Annexure P-3 dated 06.01.2024, whereby Learned Trial Court have cancelled the bail of the present petitioner and forfeited the bail bonds and have issued the summons to the accused through proclamation in the FIR No.96 dated 11.12.2020 registered under Sections 61, 78(2) of the Punjab Excise Act, 1914 at Police Station Hathur, District Ludhiana.
2. Learned counsel for the petitioner contends that the petitioner could not appear before the Learned Trial Court due to miscommunication between him and his counsel. Due to non appearance before the Trial Court on the said date, the bail bonds and surety bonds of the petitioner was cancelled and forfeited to the State and he was summoned through proclamation vide order dated 06.01.2024. The petitioner undertakes to appear before the Trial Court in future on each and every date of hearing and he will not evade the process of law.
3. Notice of motion.

4. At the asking of Court, Mr. Ramdeep Partap Singh, Senior DAG, Punjab, accepts notice on behalf of respondent-State of Punjab.
5. Heard. Counsel for the respective parties.
6. This court is convinced that this is an isolated instance of non appearance of the petitioners and that too due to miscommunication between them and their Counsel for attending the Court proceedings on 06.01.2024.
7. In view of the discussion hereinabove, the present petition is disposed of with a direction to the petitioners to surrender before the trial Court within a period of one week from today and in case they file an application for grant of bail before the trial Court, the same shall be decided by it on the same day in accordance with law. However, the aforesaid order/concession to the petitioners shall be subject to payment of Rs.10,000/- as costs to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh (Account No.65035682434, IFSC Code SBIN0050306) and a receipt of the same be produced before the Trial Court and only in that eventuality application of the petitioner seeking bail be considered by the Trial Court.
8. Disposed of accordingly.

(SANDEEP MOUDGIL)
JUDGE

30.01.2024
Sham

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