

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5515 of 2024

Date of decision: 6th February, 2024

Avtar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gaurav Rana, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 29.05.2023 (Annexure P-3) passed by the Court below vide which bail granted to him in case FIR No.159 dated 22.09.2014 under Sections 452, 323, 336, 148, 149 of the IPC and Section 25 of the Arms Act, 1959 registered at Police Station Daba, District Ludhiana, was cancelled owing to his non-appearance in the Court.

2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court below and it was only on two dates i.e. 18.04.2023 and 29.05.2023 that he was unable to put in an appearance on account of the fact that he had secured a job outside the District. He submits that it was thus, for a genuine reason that the petitioner was unable to put in an appearance before the Court. Learned counsel further submits that the petitioner is ready to appear and join proceedings before the Court below. Hence, in

the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Court below and the Court below be directed that his application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. Mr. Mohit Kapoor, Addl. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by learned counsel representing the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the Court below within seven days from today. Till then, no coercive steps shall be taken against the petitioner.

7. However, it is made clear that in case the petitioner fails to surrender before the Court below within the above stipulated time period, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the Court below, the same shall be decided by the Court below expeditiously in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

February 6, 2024
rps

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