

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

146

CRM-M-5811-2024
Date of decision: 05.02.2024

PARDEEP SINGH

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

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

Mr. Digvijay Nagpal, AAG, Punjab.

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 06.09.2023 (Annexure P-6), whereby, non-bailable warrants has been issued against the petitioner. In addition, the petitioner also seeks quashing of the order dated 20.12.2023 (Annexure P-7), whereby, the learned Judicial Magistrate First Class, Amritsar, has issued proclamation warrants, under the provisions of Section 82 Cr.P.C, against the petitioner.
2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court concerned was neither intentional nor willful, rather was *bona fide*, inasmuch as, neither he was served in the case (supra), nor he was having any knowledge *qua* proceedings of the case (supra) before the learned trial Court concerned.
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, learned counsel for the petitioner submits that the petitioner is ready and willing to join the trial proceedings, in case the petitioner is granted adequate protection.

4. In view of the above, this Court directs the petitioner to appear before the learned trial Court concerned within 15 days. In case, the petitioner appears before the learned trial Court concerned within 15 days, and thereupon, moves a proper application for grant of regular bail before the latter, the latter shall make every endeavor to decide the bail application, if any moved, most expeditiously, preferably on the same day. Only till then, the arrest of the petitioner shall remain stayed.

5. However, it is clarified that, in case the petitioner does not cause an appearance before the learned trial Court concerned, within the above stipulated period, the interim protection, as granted hereinabove by this Court, shall be *ipso facto* vacated, without any further reference to this Court.

6. Disposed of accordingly.

05.02.2024
amandeep

(KULDEEP TIWARI)
JUDGE

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