

**123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Neutral Citation No. **2024:PHHC:020734**
CRM-M-7785-2024

Date of Decision: February 14, 2024

Bikramjit Singh @ Vikramjit Singh @ Monu ...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lakshay Bector, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 482 Cr.P.C., petitioner prays for quashing of the order dated 12.04.2023 (Annexure P-3) passed by learned Addl. Sessions Judge, Ludhiana, whereby regular bail granted to the petitioner has been cancelled during trial of case FIR No.422 dated 11.11.2017, under Sections 379-B and 34 of IPC, registered at Police Station Focal Point, District Ludhiana.

2. Learned counsel for the petitioner contends that petitioner was on bail and was regularly appearing before the Court concerned. However, due to outbreak of pandemic COVID-19, Courts were working in a restricted manner. Learned counsel for the petitioner contends that because of COVID-19 pandemic, matters were being adjourned by the Court till 14.01.2022. Thereafter, mis-communication occurred between the petitioner and the clerk of the advocate representing him before the Trial Court, due to which he could not appear before the Trial Court from 24.05.2022 to 22.01.2024, as a result of which his bail was cancelled and bonds were forfeited.

3. A perusal of the various zimini orders placed on record would reveal that it is on 12.04.2023, the bail of the petitioner was cancelled on account of his non-appearance. Thereafter, repeated warrants of arrest were issued against him, which failed to procure his presence. Then, proclamation was directed to be issued vide order dated 22.01.2024. However, it is revealed that petitioner has not been declared proclaimed offender till date.

4. Learned counsel for the petitioner contends that the petitioner is ready to surrender before this Court and he be provided with necessary protection.

5. Although, there is no justification, so as to quash the impugned order dated 12.04.2023 (Annexure P-3), whereby his bail was cancelled, but at the same time having noticed that the petitioner has not been declared as proclaimed offender till date and he is ready to surrender and the purpose of granting of bail is that petitioner appears before the Court on every date, so as to face trial, this petition is hereby disposed of with a direction to the petitioner to surrender before the Trial Court concerned on or before 20.02.2024, the date already fixed thereat. On his such surrender, the Trial Court shall initiate the proceedings under Section 446 Cr.P.C. and after disposal of those proceedings, the petitioner shall be admitted to bail. Till the disposal of the proceedings under Section 446 Cr.P.C., petitioner shall not be taken into custody. If in the meantime, petitioner is sought to be arrested on account of warrants of arrest having

been issued against him, he shall be admitted to interim bail to the satisfaction of the Arresting Officer.

Disposed of.

February 14, 2024	(DEEPAK GUPTA)
sarita	JUDGE
Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No