

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

122

CRM-M-8682 of 2024

Date of Decision: 27.02.2024

Ravi Khan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Satnam Singh, Advocate, for
Mr. Navraj Singh, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 482 Cr.P.C. for setting aside the impugned order dated 18.09.2023 (Annexure P-3), whereby, the bail of the petitioner has been cancelled and non-bailable warrants was issued against the petitioner.

On the previous date of hearing i.e. 19.02.2024, the following order was passed:-

“The Punjab and Haryana High Court Bar Association has decided to abstain from work today i.e. 19.02.2024.

On perusal of the case file, it is evident that the absence of the petitioner was on account of wrong date noted by the Clerk of his counsel as 18.10.2023 instead of 18.09.2023 and due to this miscommunication between him and staff of his counsel, he could not appear before the trial Court on 18.09.2023, which is neither intentional nor deliberate. Due to this reason, his bail was cancelled and his bail/surety bonds were ordered to be forfeited to the State and further warrants

of arrest were issued against him for 25.10.2023.

Notice of motion for 27.02.2024.

To be shown in the urgent list.

In the meantime, proceedings before the trial Court shall remain stayed”.

Learned counsel for the petitioner submits that the petitioner is ready to surrender before the trial Court.

In pursuance of the said order, Mr. Rajiv Verma, DAG, Punjab submits that he is not averse to the undertaking given by the counsel for the petitioner that in case the petitioner surrenders before the trial Court and further participates in the trial proceedings to facilitate the continuation to avoid any delay.

In the light of above, the order dated 18.09.2023 (Annexure P-3) is ordered to be quashed and as per the undertaking of the counsel for the petitioner, the petitioner is directed to surrender before the trial Court within a period of one week from today. In case, the petitioner surrenders and moves an application for bail, the same may be considered by the trial Court on that very date and would be disposed of in accordance with law. However, the same shall be subject to payment of Rs.10,000/- as costs to be deposited with the Punjab and Haryana High Court Bar Association Account No.65035682434, IFSC Code SBIN005036, State Bank of India, High Court Branch, Sector-1, Chandigarh and receipt of the same be furnished to the trial Court at the time of surrendering before the trial Court.

Accordingly, the present petition is allowed in the aforesaid terms.

27.02.2024
D.Bansal

(SANDEEP MOUDGIL)
JUDGE