

JASPREET SINGH AND OTHERS

..... Petitioners

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naveen Batra, Advocate
for the petitioners.

KARAMJIT SINGH, J. (ORAL)

The present petition has been filed by the petitioners seeking setting aside the impugned order dated 01.05.2023 (Annexure P-2) passed by the Court of Sub-Divisional Judicial Magistrate, Shri Anandpur Sahib whereby the bail and surety bonds of petitioners were cancelled and they were directed to be summoned through nonailable warrants in criminal case having FIR No.144 dated 15.12.2016 registered under Sections 420, 379, 188 of IPC and Sections 21(1) and 4(1) of Mines and Minerals (Regulation of Development) Act, 1957 at Police Station Anandpur Sahib, District Rupnagar, on account of their absence before the learned trial Court.

2. Counsel for the petitioners submits that after the registration of the FIR the petitioners were granted regular bail by the Court concerned and thereafter the petitioners were regularly appearing before the learned trial Court. That however, on 01.05.2023 the petitioners were unable to appear before the trial Court due to some misunderstanding/mis-communication with regard to actual date of hearing fixed by the trial Court. He further submits that this was first

default on the part of the petitioners and even in future, the petitioners will remain careful. Counsel for the petitioners further submits that the petitioners are ready to join the proceedings before the learned trial Court.

3. Notice of motion.

4. Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that there is no illegality and perversity in the impugned order as on 01.05.2023, petitioners got absented and resultantly, their bail bonds and surety bonds were cancelled by the trial Court, in accordance with law.

5. In view of the above, it appears that this was the first default on the part of the petitioners.

6. Without expressing any opinion on the merits of the case and in order to avoid further delay in trial, the present petition is hereby disposed of with direction to the petitioners to appear before the learned trial Court on or before the next date fixed and on their doing so, the petitioners are directed to be released on regular bail by the said Court to its own satisfaction subject to cost of Rs.5000/- each to be deposited by the petitioners with the District Legal Services Authority concerned.

22.02.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

1. Whether speaking/reasoned:

Yes/No

2. Whether reportable:

Yes/No