

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

CRM-M-9522-2024

Date of Decision: 27.02.2024

Roshan Singh alias Har Rosan Nath

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

**Present : Mr. Rehat Bir Singh Mann, Advocate
for the petitioner.**

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr.P.C. with a prayer to set aside the order dated 08.02.2024 (Annexure P-5), passed by the Court of Additional Sessions Judge, Faridkot in case FIR No.81, dated 20.05.2019 under Sections 365, 120-B, 306, 342, 201 of IPC (offence under Section 365 IPC deleted later on and Sections 306, 342, 201 IPC added later on), registered at Police Station Sadar Faridkot, District Faridkot, whereby, the bail order of the petitioner was ordered to be cancelled and his bail bonds and surety bonds were forfeited in favour of the State and non-bailable warrants were issued against him.

2. Learned counsel for the petitioner contends that the petitioner was falsely involved in the present case. The petitioner was arrested in the present case on 07.06.2019 and vide order dated 12.05.2023 (Annexure P-3), the petitioner was granted the concession of regular bail by this Court. While referring to various zimni orders, Annexure P-4, learned counsel further submits

that the petitioner had been regularly appearing before the trial Court on different dates. However, on account of some communication gap between the petitioner and his counsel, the petitioner could not appear before the trial Court on 08.02.2024. He further contends that the petitioner is ready to surrender before the trial Court and shall appear on each and every date of hearing during the trial.

3. Notice of motion.

4. Mr. I.P.S. Sabharwal, DAG, Punjab, accepts notice on behalf of the respondent-State.

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

6. The record shows that on 08.02.2024, neither the petitioner had appeared before the trial Court nor learned counsel for the petitioner had appeared. Consequently, after calling the case several times, the Court had rightly cancelled the bail granted to the present petitioner. Apparently, there is no illegality in the impugned order dated 08.02.2024 (Annexure P-5) passed by the Court of Additional Sessions Judge, Faridkot.

7. However, the petitioner is a young boy, aged about 23 years and from the record, it is apparent that he had been appearing on all the dates fixed before the trial Court; consequently, taking a lenient view of the matter, the petitioner is directed to surrender before the trial Court/Duty Magistrate within a period of 10 days from today and on his surrender, he shall be admitted to interim bail subject to furnishing bail bonds and surety bonds to the satisfaction of the concerned Court. The petitioner shall also furnish an affidavit before the concerned Court that he shall appear on each and every date of hearing and

shall not remain absent from the trial Court proceedings, without prior permission of the trial Court.

8. The present petition is disposed off.

27.02.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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