

SANDEEP SINGH @ SUNNY AND ANOTHER

..... Petitioners

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Bhupinder K. Bhangu, Advocate
for the petitioners.

KARAMJIT SINGH, J. (ORAL)

The present petition has been filed by the petitioners with prayer for quashing the impugned order dated 08.02.2024 (Annexure P-4) passed by the Court of Additional Sessions Judge, Kapurthala whereby the bail and surety bonds of petitioners were cancelled and they were directed to be summoned through nonailable warrants of arrest in criminal case having FIR No.0054 dated 31.03.2016 registered under Sections 379 of IPC (Section 411 added later on) and Sections 22, 61, 85 of NDPS Act at Police Station City Kapurthala, District Kapurthala, 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 vide orders dated 06.05.2016 (Annexure P-2) and 09.05.2016 (Annexure P-3) by the Court concerned and thereafter the petitioners were regularly appearing before the learned trial Court. Counsel for the petitioners further submits that the petitioners noted down wrong date and as such failed to appear before the learned trial Court on 08.02.2024 and their absence on that date was not intentional. He further submits that this was the first default on the

part of the petitioners and even in future, the petitioners will remain careful and 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 the petitioners got absented on 08.02.2024 without any intimation to the trial Court and consequently, the learned trial Court rightly passed impugned order dated 08.02.2024 (Annexure P-4), as per the provisions of law and there is no illegality and perversity in the said order.

5. In view of the above, it appears that this was the first default on the part of the petitioners, which resulted in passing of the impugned order dated 08.02.2024 (Annexure P-4).

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 in the trial Court 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