

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-9634-2024 (O&M)

Date of decision: 22.02.2024

Mohd. Suhail @ Mohammad Suhail

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Abdul Aziz, Advocate,
for the petitioner.

Sandeep Moudgil, J. (oral)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., for quashing of the impugned order dated 13.04.2023 (Annexure P-6) passed by the Sub Divisional Judicial Magistrate, Malerkotla, vide which bail order of the petitioner has been cancelled and his bail bonds and surety bonds have been forfeited to the State in case bearing No.CRM/321/2017, titled as **State vs. Feroz Khan and others.**

Learned counsel for the petitioner submits that absence of the petitioner before the Trial Court occurred due to misunderstandings as cancellation report was submitted before the Trial Court on 23.11.2022, as is evident from the order dated 23.11.2022 (Annexure P-5).

Learned counsel for the petitioner undertakes that the petitioner will surrender before the Trial Court within seven days move an application seeking regular bail, though the FIR has already been quashed.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab,

undertaking given by learned counsel for the petitioner showing readiness to appear before the Trial Court.

In case, the petitioner surrenders before the Trial Court and moves an application seeking regular bail, the same shall be considered and decided by the Trial Court in accordance with law on that very day. Further, in case the Trial Court decides to grant regular bail to the petitioner, it shall be on furnishing of fresh bail bonds/surety bonds.

However, the aforesaid order/concession to the petitioner shall be subject to payment of Rs.10,000/- as costs to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner seeking bail be considered by the Trial Court.

Accordingly, the present petition is disposed of.

(SANDEEP MOUDGIL)
JUDGE

22.02.2024
Ajay Prasher

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