

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

133

CRM-M-10605-2024

Date of Decision.:04.03.2024

Manpreet Singh @ Goli

Petitioner

Vs.

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Jaskamal Singh Grewal, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C., prayer is made to quash order dated 20.11.2023 (Annexure P-3), whereby bail of the petitioner has been cancelled and bonds were forfeited in case FIR No.0108 dated 17.12.2020 registered at Police Station Mulepur, District Fatehgarh Sahib under Sections 379-B of the IPC.

Learned counsel has drawn attention towards order dated 20.11.2023 (Annexure P-2) so as to contend that on the same date of hearing i.e. 20.11.2023, petitioner had appeared and his presence was duly marked by the same Court of Shri Anshul Berry, learned Additional Sessions Judge in case bearing filing No.2625/2022. However, in another case bearing filing No.1613/2023, pending before the same Court, the petitioner has been shown absent on 20.11.2023 and his bail was cancelled.

Learned counsel contends that it appears to have happened due to some inadvertent mistake.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent- State.

There appears to be some miscommunication or inadvertent mistake on the part of the Court.

This petition is hereby disposed of with the direction to the petitioner to surrender before the Trial Court concerned on or before 15.04.2024, the date stated to be already fixed thereat. On his such appearance, the Trial Court will be at liberty to initiate proceedings under Section 446 Cr.P.C. against the petitioner and after disposal thereof, shall admit the petitioner to bail.

It is made clear that till the disposal of proceedings under Section 446 Cr.P.C., petitioner shall not be taken into custody. If in the meantime, petitioner is sought to be arrested on account of warrants of arrest having being issued against him, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

(DEEPAK GUPTA)
JUDGE

March 04, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No