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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15386-2024

Date of decision: 01.04.2024

Sanjeev Kumar Sood @ Sanjay Sood

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Parampreet Singh Bajwa, Advocate and
Mr. Inderjit Singh, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by petitioner seeking quashing of order dated 22.03.2022 Annexure P-3 whereby the trial Court cancelled the bail and surety bonds of the petitioner and issued non bailable warrants of arrest, on account of absence of petitioner in a criminal case having FIR No.34 dated 24.04.2021 under Section 304-A, 279 and 427 IPC, registered at Police Station Jodhan, Ludhiana and order dated 15.06.2023 Annexure P-4 whereby proclamation proceedings under Section 82 Cr.P.C. are initiated against the petitioner.

2. The counsel for the petitioner submits that the petitioner was granted bail by the Court concerned but subsequently due to some unavoidable circumstance, the petitioner failed to appear in the trial Court on 15.12.2021. Thereafter, non bailable warrants of arrest of the petitioner

were issued by the trial Court. The counsel for the petitioner further submits that the trial Court started proceedings under Section 82 Cr.P.C. against the petitioner in a hasty manner. It is further submitted that petitioner is ready to appear before the trial Court and be granted regular bail as all the offences are bailable.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and submits that there is no illegality or perversity in the impugned orders Annexure P-3 and Annexure P-4 which were passed by the trial Court in accordance with law. The State counsel on instructions from ASI Sukhjeet Singh apprised the Court that after passing of order Annexure P-4, now the petitioner has been declared as proclaimed person by the learned trial Court vide order dated 30.03.2024.

5. I have considered the submissions made by counsel for the parties.

6. The counsel for the petitioner failed to bring to the notice of this Court any illegality in the impugned orders. However, the counsel for the petitioner has submitted that the petitioner is ready to surrender before the learned trial Court within a period of 10 days. The object behind the initiation of proceedings under Section 82 Cr.P.C., is to procure the presence of the accused before the trial Court.

7. Undoubtedly, offences punishable under Section 304-A, 279 and 427 IPC are bailable offences.

8. In light of the above, without expressing any opinion on the merits of the case, the present petition is hereby dismissed with direction to

the petitioner to surrender before the trial Court within next 7 days and to move an application for grant of regular bail which is to be decided by the said Court on the same very day, in accordance with law, subject to costs of Rs.10,000/- which is to be deposited by the petitioner with District Legal Services Authority concerned.

01.04.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No