

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16237 of 2024 (O&M)
Date of Decision: 05.04.2024

Satnam Singh @ Jodha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Nisha Rana, Advocate
For the petitioner.

Mr. J.S. Dhaliwal, AAG Punjab.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner for quashing of order dated 19.03.2024 passed by the Court of Sub Divisional Judicial Magistrate Baba Bakala Sahib whereby direction was given to summon the petitioner through nonailable warrants of arrest in criminal case having FIR No. 22 dated 25.01.2017 under Section 419/ 420 IPC registered at Police Station Beas, District Amritsar Rural.
2. The counsel for the petitioner submits that during investigation of the case petitioner was granted anticipatory bail by this Court vide order dated 23.08.2017 (Annexure P-2). That thereafter police presented challan in the absence of petitioner and thus the petitioner was not aware about pendency of any criminal case in the Court concerned. The counsel for the petitioner further submits that he did not receive any summons issued by the Court prior to 19.03.2024 and that impugned order (Annexure P-6) was passed in a hasty manner by the trial Court without following the proper

procedure. It is further submitted that petitioner is ready to join the proceedings before the trial Court at the earliest.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG Punjab accepts notice on behalf of State and submits that on presentation of challan, the trial Court issued notice to the petitioner but he did not respond to the same and consequently impugned order was passed to summon the petitioner through non bailable warrants of arrest for 03.06.2024. The State counsel further submits that no ground for interference is made out in the present case by this Court.

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

6. Admittedly, the petitioner was granted anticipatory bail by this Court vide order dated 23.08.2017 (Annexure P-2). Thereafter, challan was presented and notice was issued to the petitioner for 11.08.2023 and another notice for 11.12.2023 was also issued to the petitioner but he failed to respond and only thereafter non bailable warrants of arrest of the petitioner were issued by the trial Court. So, counsel for petitioner has failed to bring to notice of this Court any illegality or infirmity in the impugned order. However, keeping in view the fact that petitioner has shown his willingness to join the proceedings in the trial and further in order to avoid delay in disposal of the main case, the petitioner is hereby directed to appear before the trial Court within next ten days and on his doing so, he be released on regular bail by the said Court to its own satisfaction subject to payment of Rs.7500/- which is to be deposited by the petitioner with the District Legal Services Authority concerned.

7. The present petition is disposed of in aforesaid terms without expressing any opinion on the merits of the case.

05.04.2024

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(KARAMJIT SINGH)
JUDGE

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