

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-19848-2024

Date of Decision: 25.04.2024

RAMINDER PAL SINGH ALIAS SAHIL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present:- Mr. A.P.S. Sandhu, Advocate and
Mr. Ashish Kaushik, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking quashing for impugned order dated 24.07.2023 (Annexure P-3), whereby the bail bonds of the petitioner have been cancelled and surety bonds have been forfeited on account of his absence on one date of hearing before the trial Court.
2. Learned counsel for the petitioner has submitted that, in fact, the petitioner was granted the concession of bail on 03.01.2020, however, he could not appear on 24.07.2023 due to his ill health as he had to be admitted to a de-addiction centre and it was due to his non-appearance on this ground that his bail was cancelled. After he recovered, he again applied for the grant of bail, however, the same was declined by the Court below on 28.03.2024.
3. Notice of motion.
4. Mr. Randhir Singh Thind, DAG, Punjab., accepts notice on behalf of the official respondents and submits that the petitioner has been absented himself from the proceedings which let procrastinated the proceedings of the trial and hence, does not deserves the concession.

5. Considering the fact that seeking detailed reply shall only procrastinate the trial, which is pending since long, the ends of justice would be met if petitioner is granted one opportunity to join the proceedings.

6. Furthermore, the Hon’ble Supreme Court of India in case titled as **“Krishna Sharma @ Krishna Kumar Sharma Vs. The State of West Bengal and another” SLP (Crl.) No. 12829 of 2023**, the relevant extract of which reads as under:

“However, we find that merely because the appellant did not appear personally could not have been a ground for cancellation of bail. The parameters for grant of bail and cancellation of bail are totally different. The bail already granted may be cancelled, if it is found that the person who has been granted the benefit of bail has violated any of the conditions or misused the liberty by influencing the witnesses or tampering with the evidence.”

7. In light of the above, the order dated 24.07.2023 is set aside and the petitioner is permitted to surrender before the trial Court within one week from today and shall be released on bail by furnishing fresh bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate concerned.

8. In light of the above, the present petition stands **disposed of**.

April 25, 2024
Mohit Bishnoi

(ALOK JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No