

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

134

CRM-M-21602-2024

Date of decision: 02.05.2024

ASHISH KUMAR ALIAS DHAMI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Jatinder Nagpal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. with the prayer to quash the impugned order dated 03.04.2024 (Annexure P-4), passed by Additional Sessions Judge, Amritsar, vide which the bail order of the petitioner stands cancelled, and bail bonds/surety bonds of the petitioner stands forfeited to the State, and non-bailable warrants has been issued to the petitioner on account of his absence on 11.03.2024, in a case No.SC/68/2019, dated 01.02.2019, titled as "State Versus Gurbaj Singh @ Bajju etc.", arising out of FIR No.235 dated 26.10.2018, under Sections 399/402 IPC, & under Sections 25/54/59 of Arms Act, at Police Station Jandiala, Amritsar (Rural).

2. Though the learned counsel for the petitioner has failed to point out any illegality or perversity in the order (supra), however, he submits that the petitioner could not join the proceedings, because he was admitted in a Counseling and Rehabilitation Centre, and to strengthen this argument, he draws attention of

this Court to Annexure P-3, which is the certificate issued by Aadarsh Foundation counseling and Rehabilitation Centre. Learned counsel for the petitioner further submits that the petitioner is ready and willing to join the proceedings, in case an adequate protection is granted to the petitioner.

3. The *innocuous* and *bona fide* prayer as made by the learned counsel for the petitioner, is hereby, accepted. The impugned order is however maintained. The petitioner is directed to surrender before the learned trial Court concerned on 14.05.2024. i.e. the next date fixed before the learned trial Court concerned. In case the petitioner surrenders on or before 14.05.2024, then he shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court concerned.
4. The instant petition is **disposed** of accordingly.

02.05.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No