

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21628 of 2024

Date of decision: 1st May, 2024

Harkamal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parvinder Singh, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 23.01.2024 (Annexure P-6) passed by the learned trial Court vide which bail granted to him in case FIR No.149 dated 19.08.2022 under Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 of the IPC registered at Police Station Garhshankar, District Hoshiarpur was cancelled owing to his non-appearance in the Court.

2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court concerned and it was only on 23.01.2024 that he could not reach in time, which led to passing of the impugned order by the learned trial Court. He submits that it was thus, for a genuine reason that the petitioner was unable to put in an appearance before the Court. Learned counsel further submits that the petitioner is ready to appear and join proceedings before the learned trial Court. Hence, in the aforementioned facts and

circumstances, the petitioner be protected till his appearance before the Court concerned and the Court be directed that his application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. Mr. Navdeep Singh, Dy. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by learned counsel appearing on behalf of the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the learned trial Court within seven days from today. Till then, no coercive steps shall be taken against the petitioner, subject to payment of costs in the sum of ₹ 10,000/- which shall be deposited with the District Legal Services Authority, Hoshiarpur.

7. However, it is made clear that in case the petitioner fails to surrender before the Court concerned within the above stipulated time period, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the learned trial Court shall make earnest efforts to decide the same expeditiously in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

May 1, 2024
rps

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