



CRM-M-22004-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-22004-2024
Date of decision : May 06, 2024

Rajesh Kumar and others

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Parvinder Singh, Advocate, for the petitioners
Mr. Pardeep Bajaj, DAG, Punjab

KULDEEP TIWARI,J.

1. The challenge through the present petition, is thrown to the order dated 18.3.2024, whereby, application for extension of time to furnish regular bail bonds, before the learned trial court concerned was declined, by invoking the inherent powers of this Court under Section 482 Cr.P.C.
2. Learned counsel for the petitioners, in asking for the relief (*supra*), submits that by committing the delay in not submitting the regular bail bonds within seven days, the petitioners could not have derived any benefit, and the delay has been solely caused due

**CRM-M-22004-2024****2**

to unavoidable circumstances, which are beyond the control of the petitioners.

3. From the perusal of the record, it is transpired that bail application of the petitioners was decided by the learned Additional Sessions Judge, Hoshiarpur vide order dated 25.8.2020 and they were granted the relief of anticipatory bail, and they were also directed to surrender before the local police within seven days, but the petitioners did not comply with the said order, and rather filed another application for rectification/modification of order dated 25.8.2020, for extending the time to furnish regular bail bonds before the learned trial court concerned. That application was allowed by the learned Additional Sessions Judge concerned, vide order dated 1.2.2024, and seven days time was granted to the petitioners to surrender, and appear before the learned trial court concerned, but again the petitioners failed to comply with the order dated 1.2.2024, and therefore, they moved another application for extension of time on 13.3.2024, to extend the time which was granted vide order dated 1.2.2024. However, this time second application was declined vide impugned order dated 18.3.2024 which caused grievance to the petitioners, and propelled them to institute the present petition under Section 482 Cr.P.C.

4. Learned counsel for the petitioners has drawn the

**CRM-M-22004-2024****3**

attention of this Court to the various documents in an endeavour to establish that in fact, due unavoidable circumstances, the petitioners, could not comply with the directions within seven days. However, they are willing and ready to comply the said directions, in case another seven days time is granted to them.

5. Notice of motion.

6. Mr. Pardeep Bajaj, DAG, Punjab waives service on behalf of the respondent-State

5. This Court has considered the submissions made by the learned counsel for the parties concerned, and perused the entire records, and is of the view that no prejudice would be caused to the respondent, in case, further extension of time is granted to the petitioners, to furnish their regular bail bonds, before the learned trial court concerned, in compliance with the order dated 1.2.2024, passed by the learned Additional Sessions Judge concerned. The sole purpose of the trial court is to secure the presence of the petitioners so that the trial can proceed further.

6. Resultantly, the present petition is **allowed**. The impugned order dated 18.3.2024, is hereby, quashed and the petitioners are directed to comply with the order (*supra*) within 10 days from today.

7. However, the petitioners are burdened with costs of Rs



CRM-M-22004-2024

4

5000/- each, to be deposited with the District Legal Services Authority, concerned.

May 06, 2024
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(KULDEEP TIWARI)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>