



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-28121-2024

Date of Decision : **30.05.2024**

HARWINDER SINGH ALIAS MALI

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ritesh Pandey, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. The present petition has been filed seeking quashing of impugned order dated 02.04.2024 (Annexure P-2), whereby, the bail of the petitioner has been cancelled, and bail bonds/surety bonds have been forfeited to the State, and his non-bailable warrants have been issued in case FIR No.29, dated 30.05.2019, under Section 21-A of the Mines and Mineral (Regulations and Development) Act, 1957, registered at Police Station Dorangla, District Gurdaspur.

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail, and since then he is regularly appearing before the learned trial Court concerned, whereas, owing to his non-appearance on one date i.e. 02.04.2024, the learned trial Court concerned, proceeded to cancel his

bail bonds, and non-bailable warrants were issued against the present petitioner to secure his presence.

3. He further submits that petitioner has no intention to challenge the legality of the order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to him.

4. Notice of motion.

5. Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State and opposes the grant of relief (*supra*), to the present petitioner.

6. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

7. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioner, without going into the legality or illegality of the impugned order, this Court directs the petitioner to surrender before the learned trial Court concerned on 07.06.2024, the date already fixed.

8. In case the petitioner surrenders before the learned trial Court concerned, on the said date, and furnishes fresh bail and surety bonds, the same shall be accepted by the learned trial Court concerned, however, subject to its satisfaction, and the petitioner shall be released on regular bail.

9. In the meanwhile, the arrest of the petitioner shall remain stayed.

10. However, in case, the petitioner fails to appear before the learned trial Court concerned on 07.06.2024, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without any further reference to this Court.

11. **Disposed of** accordingly.

May 30, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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