



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

CRM-M-29848-2024

Date of decision: 14.06.2024

Andeep Singh Chahal

.....Petitioner

V/s

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Anil K.Sokal, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

1. By way of present petition filed under Section 482 Cr.P.C. the petitioner seeks quashing of the impugned order dated 13.07.2023 (Annexure P-3), whereby his bail was cancelled and non-bailable warrants were issued and subsequent proceedings thereof qua the petitioner in FIR No.154 dated 27.05.2016 registered under Sections 384, 506, 182, 120-B of the IPC, 1860 at Police Station Navi Bardari District Jalandhar.

2. Learned counsel for the petitioner contends that on 13.07.2023, when the impugned order was passed, the petitioner was ill and therefore could not attend the trial proceedings. On the said date i.e. 13.07.2023, since no application for exemption was filed on behalf of the petitioner, his bail was cancelled and non-bailable warrants were issued for 30.08.2023. He submits that the petitioner was advised that since his case has been separated with a different CIS number from the other accused, he was under bonafide belief that notice would be issued to him separately and in fact no notice was served upon the petitioner.



3. Learned counsel for the petitioner further submits that in the present case there were three accused, namely, Sohan Singh, Harish Jain and the petitioner. The petition filed by co-accused Sohan Singh bearing CRM-M No.33667 of 2023 for quashing of the FIR on the basis of compromise stands allowed vide order dated 29.09.2023 (Annexure P-4) and other co-accused Harish Jain stands acquitted of the charges framed against him vide judgment dated 19.10.2023 passed by the JMIC, Jalandhar. The petitioner is the only accused left in this case to face the trial and he is ready to surrender before the trial Court and undertakes to be present on each and every date and prays for allowing the petition.

4. Notice of motion.

5. On the asking of the Court, Mr. Amit Kumar Goyal, Addl. A.G., Punjab, appears and accepts notice on behalf of respondent-State and raises no objection, if the petitioner is permitted to surrender before the trial Court.

6. In view of the above, the petition stands partly allowed and the impugned order dated 13.07.2023 (Annexure P-3) and consequential proceedings thereof qua the petitioner are set aside. However, arrest of the petitioner is stayed for a period of one week only enabling him to put in appearance before the trial Court/Duty Magistrate to face trial. The petitioner is directed to surrender on or before 21.06.2024 and on his doing so, he shall be admitted to bail subject to his furnishing personal bonds and surety bonds, to the satisfaction of the trial Court/Duty Magistrate.



CRM-M-29848-2024

7. It is made clear that if the petitioner does not present himself before the trial Court/Duty Magistrate within the stipulated time, interim protection granted to him will be deemed to have been automatically vacated.
8. Petition stands disposed off.

(DEEPAK MANCHANDA)
JUDGE

14.06.2024
sapna goyal

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