



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.133

CRM-M-30147-2024 (O&M)
Date of decision : 18.06.2024

Prince Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. V.S. Anand, Advocate, for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KIRTI SINGH, J. (Oral)

This petition under Section 482 Cr.P.C. has been filed for quashing of order dated 29.02.2024 passed by the learned Addl. Chief Judicial Magistrate vide which non-bailable warrants of arrest were issued against the petitioner by cancelling his bail bonds in case FIR No.239 dated 10.08.2023 registered under Section 25 of the Arms Act, 1959 and Sections 160, 148, 149 IPC at Police Station Sadar Amritsar, District Police Commissionerate Amritsar.

Learned counsel for the petitioner submits that the petitioner was unable to appear due to mis-conception of the date of appearance. He further submits that the absence of the petitioner was neither willful nor intentional.

Notice of motion.

At the asking of the Court, Mr. Inderjeet Singh Ladher, DAG, Punjab, accepts notice on behalf of the respondent-State.

After hearing the submissions made by the counsel for the petitioner and perusal of the record, it is abundantly clear that the petitioner’s absence before the trial Court was inadvertent and with no *mala fide* intention to evade the presence at the trial Court. Therefore, this Court deems it appropriate to grant him another opportunity to appear before the trial Court within 10 days from today.

In addition, in case the petitioner moves an application for grant of bail, the same shall be considered and decided expeditiously in accordance with law on that very day.

There is no denial to the fact that due to petitioner’s act, delay has occurred in trial proceedings and has caused prejudice to the other side and to compensate the delay which is caused by the petitioner alone, the petitioner is directed to deposit costs of Rs.10,000/- before the Punjab and Haryana High Court Bar Clerks Association and a receipt of the same be produced before the trial Court and only in that eventuality, application of the petitioner for seeking bail be considered.

However, it is made clear that in case, the petitioner does not abide by the aforesaid undertaking, the respondent-State shall be at liberty to move an appropriate application for revival of the instant petition.

The petition is stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

18.06.2024
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No