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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.124

CRM-M-30426-2024(O&M)
Date of decision : 24.06.2024

Amar Chand and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. K.S. Saini, Advocate, for the petitioners.

Mr. Prabhdeep S. Bhandari, AAG, Punjab.

KIRTI SINGH, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing the impugned order dated 15.05.2024 (Annexure P2) vide which bail orders/bail bonds/surety bonds of the petitioners has been cancelled in the case/ FIR No.85 dated 01.07.2021 under Sections 379/427/434/447 IPC, registered at Police Station Sri Anandpur Sahib, District Ropar (Annexure P1) in the case/CHI 281 of 2021 trial case pending for 16.07.2024 before learned SDJM, Sri Anandpur Sahib, District Ropar.

It has been submitted by learned counsel for the petitioners that the petitioners were granted bail in FIR No.85 dated 01.07.2021 by the learned trial Court and they were regularly appearing before the trial Court. He submits that however, as the petitioners were informed by their counsel about the wrong date, hence they could not appear on the date fixed before the trial Court i.e. 15.05.2024 and thus, bail granted to them was cancelled by the trial Court and the bail bonds/surety bonds were also cancelled. He submits that anticipatory bail filed by the petitioners was also dismissed. He

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submits that the petitioners are ready to appear before the trial Court and abide by all the terms and conditions imposed upon them by the trial Court.

Notice of motion to the official respondents at this stage.

At asking of the Court, Mr. Prabhdeep S. Bhandari, AAG, Punjab and accepts notice on behalf of respondent No.1-State.

Heard.

On hearing learned counsel for the parties and perusing the record, it is apparent that the petitioners were granted bail by the trial Court, however, they could not appear before the trial Court on one date i.e. 15.05.2024 and on account of the same, their bail bonds/surety bonds were cancelled. The petitioners are ready to appear before the trial Court and face the trial.

This Court finds that no useful purpose will be served by sending the petitioners in custody when they were continuously appearing before the trial Court but could not appear on one date. The reason for which they have given that they noted a wrong date and now they are ready to join the proceedings.

In view of the above, the present petition is disposed of. Order dated 15.05.2024 (Annexure P2) is hereby set aside subject to payment of cost of Rs.10,000/- by the petitioners to be deposited with the Poor Patient Welfare Fund, PGIMER Chandigarh within a period of 10 days from today. The petitioners after depositing the cost as stated above would appear before the trial Court on the date fixed i.e. 16.07.2024 and file appropriate application along with receipt of payment of cost. The trial Court would

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release the petitioners on bail on their furnishing fresh bail bonds to its satisfaction. No coercive action would be taken against the petitioners till 16.07.2024. In case, the petitioners failed to appear before the trial Court on the date fixed i.e. 16.07.2024 or failed to deposit the cost as stated above, this order would be of no avail to the petitioners.

(KIRTI SINGH)
JUDGE

24.06.2024

Ramandeep Singh

Whether speaking / reasoned

Yes/No

Whether Reportable

Yes/No