



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

125

CRM-M-32190-2024

Date of decision: July 10th, 2024

Kshitiz Gupta

.....Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nikhil Anand, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking quashing of order dated 03.06.2024 (Annexure P-6) passed by the trial Court vide which his bail has been cancelled and non-bailable warrant of arrests have been issued against him in case FIR No.350 dated 13.10.2023 under Sections 406, 420 (Sections 467, 468, 471 added later on) of the IPC registered at Police Station Sector 36, Chandigarh.

2. Learned counsel for the petitioner submits that inadvertently, the petitioner noted down a wrong date, as a result of which he was unable to appear before the trial Court on 03.06.2024. Prior thereto, he had been regularly appearing before the trial Court and had never absented himself during the course of the trial. It has also been brought to the notice of this Court that the parties have arrived at an amicable settlement and this Court has been approached for quashing of the FIR in question. Learned counsel for the petitioner further submits that the petitioner is ready and willing to appear and surrender before the trial Court and therefore, he be protected till then and

directions be given to the trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.
4. Mr. Manish Bansal, Public Prosecutor, U.T. Chandigarh, accepts notice on behalf of the respondent.
5. Learned Standing Counsel for U.T. Chandigarh has not disputed the submissions made by the counsel opposite that it was only on one single date that the petitioner had absented himself leading to the passing of the impugned order. It has also not been disputed by the learned Standing Counsel that the parties have arrived at an amicable settlement and have approached this Court for quashing of the FIR.
6. I have heard learned counsel for the parties and perused the relevant material on record.
7. In view of the limited prayer made by the learned counsel for the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within a period of seven days from today. Till then, no coercive steps shall be taken against the petitioner.
8. It is made clear that in case, the petitioner fails to surrender before the trial Court within seven days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

July 10th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned

Whether reportable

:

Yes

No