



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

CRM-M-33988-2024

Date of Decision: 18.07.2024

Sumit Sawhney

...Petitioner

Versus

U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Abhinav Gupta, Addl. PP, UT, Chandigarh.

GURBIR SINGH, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 05.07.2024 (Annexure P-9) vide which bail of the petitioner has been cancelled and his bail bonds have been forfeited to the State and non-bailable warrant has been issued against the petitioner in case FIR No.18 dated 21.01.2010 (Annexure P-1) under Sections 420/467/468/471 of IPC, 1860 registered at Police Station Sector-17, Chandigarh.

2. Learned counsel for the petitioner submits that the petitioner has been convicted by the Ld. JMIC, Chandigarh vide judgment and order dated 25.08.2022 (Annexure P-2) and sentenced to pay fine and to undergo R.I. for a period of 3 years. Aggrieved with the judgment of conviction and order of sentence, the petitioner filed an appeal before the Ld. Sessions Court and appeared in person. But petitioner inadvertently noted the wrong date and failed to appear on 05.07.2024 as a result his bail was cancelled and bail bonds forfeited to the State and non-bailable warrant has been issued against the

petitioner for 12.09.2024 (Annexure P-9). He further submits that the petitioner is ready to appear before the Ld. Sessions Court.

- 3. Notice of motion.
- 4. Mr. Abhinav Gupta, Addl. PP, UT, Chandigarh accepts notice on behalf of the UT, Chandigarh.
- 5. Heard.
- 6. The petitioner has already filed the appeal in which sentence of imprisonment awarded to the petitioner was suspended and he was released on bail. He absented from the Appellate Court on one date. It is his version that he could not appear since he noted the date wrongly. He was earlier regularly appearing in the Court. The order dated 05.07.2024 (Annexure P-9) passed by the Appellate Court is quite harsh and is hereby set aside. The petitioner is directed to surrender before the concerned Appellate Court within a period of 10 days from today. In case of doing so, he shall be released on bail on furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned Appellate Court/Duty Judge.
- 7. Petition stands disposed of.

18.07.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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