



CRM-M-33806-2024

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

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CRM-M-33806-2024

Date of Decision:- 18.07.2024

Deepak Kumar @ Deepu

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sukhcharan Singh Gill, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. Petitioner Deepak Kumar @ Deepu has filed present petition under Section 528, Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of order dated 04.06.2024 (Annexure P-4) in Sessions Case No.75/2024 titled as "State of Punjab vs Rohit Kumar" whereby his arrest warrants have been issued due to non appearance and bail granted vide order dated 27.02.2024 has been cancelled.

2. Learned counsel for petitioner has placed on record copy of FIR in which petitioner is facing aforesaid trial. Copy of bail order dated 27.02.2024 granted by learned Sessions Judge, Patiala is Annexure P-2. It is admitted that petitioner was absented on 04.06.2024, as a result his bail bonds and surety bonds were cancelled and forfeited to the State and his arrest warrants were issued for 11.07.2024. Learned counsel for petitioner pointed out that petitioner got late in reaching Court, as a result he was marked absent. He will regularly appear before learned trial Court.

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3. Notice of motion.

4. On asking of this Court, Mr. Kewal Singh, Addl. A.G., Punjab accepts notice on behalf of State and opposed this quashing petition.

5. I have considered the arguments. It cannot be ignored that petitioner had absented for the first time on 04.06.2024, prior to this he was regularly appearing. Trial in this case will be unnecessarily delayed. Taking a lenient view, petition filed by petitioner is accepted and impugned order dated 04.06.2024 is quashed and his bail bonds and surety bonds are accordingly restored with further direction to petitioner to appear before learned trial Court within 15 days, if earlier the date already fixed, to face trial as per law.

6. Petition is accordingly disposed of.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

18.07.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No