

2024:PHHC:041085

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

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CRM-M-38666-2022
Date of Decision : March 21, 2024

SUKHDEV SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Jasdeep Singh, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, prayer is made for setting aside the impugned order dated 19.4.2022 (Annexure P-3) and subsequent order dated 9.8.2022 (Annexure P-4), passed by the learned Additional Sessions Judge, Ludhiana, whereby, the warrants of arrest has been issued against the petitioner in case arising out of FIR No. 86 dated 29.7.2018, under Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and under Section 379 IPC, registered at Police Station Koom Kanal, District Ludhiana.
2. A co-ordinate Bench of this Court on 29.8.2022 passed the following order:-

“Learned counsel for the petitioner has submitted that the petitioner is an illiterate person and he has been regularly appearing before the learned trial Court after he was granted bail. He further submitted that however, it was due to non-communication of date by the counsel

and due to Covid, he could not appear in the month of April, and thereafter, on the next date also, he was not told by the learned counsel, who is appearing on behalf of him before the learned trial Court, with regard to the next date and consequently, vide orders dated 19.04.2022, bail bonds and surety bonds were cancelled and thereafter, again on 09.08.2022, arrest warrants were issued against the petitioner. He also submitted that in fact the petitioner could not appear due to bona fide reasons and since he is an illiterate person, he was fully dependent upon his counsel. He further submitted that the petitioner undertakes to appear and surrender before the learned trial Court within a period of two weeks from today.

Notice of motion.

Mr. Amit Rana, Sr. DAG, Punjab accepts notice on behalf of the respondent/State.

In view of the undertaking given by learned counsel for the petitioner on behalf of the petitioner, the petitioner is directed to appear and surrender before the learned trial Court within a period of two weeks from today. Till the time, the petitioner appears and surrenders before the learned trial Court, no coercive steps shall be taken against him. Thereafter, in case, any application for bail is filed by the petitioner before the learned trial Court then the same shall be considered and decided by the learned trial Court as expeditiously as possible and preferably within three days.

Adjourned to 02.12.2022.”

3. In pursuance of the directions issued by this Court, the petitioner had caused appearance before the learned trial Court concerned and was released on bail on furnishing bail bonds. The petitioner is now

regularly appearing before the learned trial Court concerned and is facing trial.

4. In view of the above facts, no further order is required to be passed in the instant petition and the same is **dismissed** as having rendered infructuous.

March 21, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No