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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35810-2024 (O&M)

Date of Decision: 29.07.2024

BALJIT SINGH

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

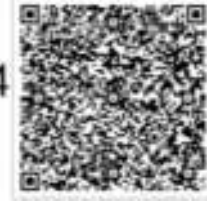
Present: Mr. Bhawesh Chaudhary, Advocate for the petitioner.
(*through Video Conferencing*).

...

SUMEET GOEL, J. (Oral)

1. The instant petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner in case arising out of FIR No.162 dated 29.07.2017 (Annexure P-1) registered under Sections 498-A and 406 of IPC at Police Station Macchiwara, Khanna, District Ludhiana. The petitioner has been facing trial in this case. He was extended benefit of bail when he had surrendered before the learned trial Court. Vide order dated 07.05.2024, learned trial Magistrate had cancelled his bail on account of his non- appearance on several dates as he had been moving applications for exempting his appearance on those dates and non-bailable warrants were issued against him.

2. It is argued by learned counsel for the petitioner that the mother of the petitioner was not well on that date and the petitioner had informed his counsel about this fact, who had moved an application seeking exemption from his appearance but despite that, his bail was cancelled and

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bonds were forfeited to the State. He is ready to abide by the conditions as imposed by this Court. Hence, It is urged that the petition may be allowed.

3. Learned State counsel who has appeared on advance notice of the petition, submits that the petitioner has been avoiding his appearance before the trial Court as he had been constantly moving applications seeking exemption thereby abusing the process of law and hence, he does not deserve to be given any relief by this Court.

4. I have heard learned counsel for the parties and have perused the record.

5. Undoubtedly, it is revealed that the petitioner has been seeking exemptions for appearance before the trial Court and several applications have been moved in this regard. However, it is also explicit that many of these applications had been moved during the COVID period. He has moved the instant petition shortly after his bail was cancelled. Keeping in view the entire facts and circumstances, the present petition is allowed and it is ordered that he would be given concession of bail by the learned trial Court subject to his surrendering before it on or before the date fixed by the trial Court as well as after depositing at least two surety bonds to the satisfaction of the learned trial Court apart from furnishing personal bonds and subject to payment of Rs.20,000/- as costs to be paid by the petitioner to Punjab and Haryana High Court Bar Clerks Association, Chandigarh (Regd. No.2441/1995) Bank Account No.65004775776, State Bank of India, IFC Code SBIN0050306, High Court Branch, Chandigarh as also to continue to appear further in accordance with law.

6. It is clarified that the observations made hereinabove shall not



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7. Pending applications, if any, shall also stand disposed off.

29.07.2024

Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No