

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

Date of Decision: 27.08.2024

...Petitioner

Versus

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Ms. Manjot Kaur, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

1. Instant petition has been filed under Section 482 Cr.PC. seeking quashing of impugned order dated 22.05.2024 (Annexure P-1) passed by the Ld. ASJ, Amritsar whereby his personal bond/surety bond has been cancelled and forfeited to the State in case FIR No.14 dated 28.01.2021 under Sections 379-B/379/411/34 of IPC, 1860 registered at Police Station Gate Hakima, District Police Commissionerate Amritsar, Amritsar (Annexure P-2).
2. Notice of motion.
3. Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of the State.
4. The order dated 22.05.2024 (Annexure P-1) passed by the Ld. trial Court is reproduced as under:-

“Today, accused Lovedeep Singh and Karan Singh have not come present and his counsel is also not appearing despite repeated calls since morning. In such circumstances, the absence of accused Lovedeep Singh and Karan Singh is without any

justification. Therefore, personal bonds and surety bonds furnished by accused Lovedeep Singh and Karan Singh are cancelled and forfeited to State. Let accused Lovedeep Singh and Karan Singh be summoned through issuance of Non bailable warrant of arrest. Simultaneously notice under Section 446 Cr.P.C be issued to his surety for 12.09.2024.”

5. From the bare perusal of the order it reveals that the bail granted to the petitioner is not cancelled. Only personal bond and surety bond furnished by the petitioner has been cancelled and forfeited to the State. If any accused who has been granted bail if he does not appear but Court has not cancelled the bail order, the said accused is entitled to be released on bail.
6. Learned counsel for the petitioner further submits that non-bailable warrant has been issued against the petitioner.
7. Without commenting upon the merits of the case, the present petition is disposed of and the petitioner is directed to surrender in the trial Court on or before the next date of hearing i.e. 12.09.2024 fixed before the trial Court and move an application for releasing him. On doing so, the concerned Court shall pass the order on the application on the same day.

27.08.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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