



CRM-M-41412-2024

-1-

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

CRM-M-41412-2024

Date of Decision: 27.08.2024

Jagmohan Singh alias Jagga

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Ashish Aggarwal , Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 06.05.2024 (Annexure P-7) passed by learned Additional Sessions Judge, Amritsar in case FIR No.101 dated 19.06.2017, under Sections 379-B, 34 IPC at Police Station Gharinda, District Amritsar Rural, wherein, bail bonds and surety bonds of the petitioner have been cancelled and forfeited to the State and non-bailable warrant has been issued on account of his non-appearance.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR. He submits that the petitioner was granted regular bail by learned trial Court on 04.08.2017 and thereafter, he was regularly appearing before the Court. He further submits that the petitioner got admitted in Drug Counselling and Rehabilitation Centre on 10.04.2024 for months for his de-addiction treatment and due to this he could not appear on 06.05.2024 before the Court and his bail was cancelled and bail bonds were forfeited to the State



and he was ordered to be summoned through non-bailable warrants. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and join the proceedings and also abide by all the terms and condition, if any imposed by the Court.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab accepts notice on behalf of the State. He has submitted that the bail bonds/surety bonds of the petitioner were rightly forfeited by the State as he had failed to appear in the Court on the date fixed without any reasonable cause.

5. After hearing learned counsel for the parties and perusing the record, it is evident that the petitioner remained absent on 06.05.2024 allegedly on account of his admission in Drug Counselling and Rehabilitation Centre and due to his non-appearance, his bail was cancelled and bail bonds/surety bonds were forfeited to the State. In these circumstances, when the petitioner is ready to join the proceedings and to face the trial, the order dated 06.05.2024 is set aside subject to payment of Rs.5,000/- as cost to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh by the petitioner within a period of 10 days from today.

7. The petitioner is directed to appear before the trial Court within a period of 15 days from today and produce the receipt of abovesaid cost and file appropriate application and the trial Court would grant him bail on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for 15 days from today.



CRM-M-41412-2024 -3-

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail and the order dated 06.05.2024 will come in force.

27.08.2024
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No

(RAJESH BHARDWAJ)
JUDGE