



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

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**CRM-M-41953-2024
DATE OF DECISION: 29.08.2024**

SUKHJINDER SINGH ALIAS SUKHI ...PETITIONER

Versus

STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Deepak Kumar, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 05.07.2023 (Annexure P- 4) passed by the . Addl. Sessions Judge, Fatehabad whereby the bail bond of the petitioner is forfeited and the arrest warrant has been issued against the petitioner and further allowing the petitioner to continue to appear before the Ld. Trial Court in FIR No.409 dated 15.07.2017 (Annexure P-1) under Section 395 of Indian Penal Code, 1860 and 25, 54, 59 of Arms Act, 1959, Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner submits that on 05.07.2023, the petitioner could not attend the trial Court proceedings as he had to come from Mansa to Fatehabad and he reached late because of the conveyance problem and by the time, the petitioner reached to the Court his bail bond was already cancelled and warrant of arrest was issued against the petitioner. He further submits that he did not had any intention to avoid attendance in the Court proceedings otherwise he was



appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of one week week from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The Court is also sanguine of the fact that delay has been caused in the trial proceedings, therefore, the aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before



the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

29.08.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>