



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

CRM-M-42753-2024
Date of Decision : 02.09.2024

**Sarban Singh Alias Lakhi Alias
Sarwan Kumar**

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of impugned order dated 02.03.2024 (Annexure P-5) passed by learned ASJ/JSC Barnala whereby bail granted to him has been cancelled and bail bonds have been forfeited to the State as also order dated 04.05.2024 (Annexure P-8) passed by learned ASJ/JSC Barnala whereby he has been declared a Proclaimed offender.

2. Learned counsel contends that absence of the petitioner before the learned trial Court was not intentional but due to ill health of his mother and without giving any opportunity of hearing to the petitioner, his bail was cancelled vide order dated 02.03.2024 and declared him a proclaimed offender vide order dated 04.05.2024. Hence, the impugned order declaring the petitioner a proclaimed person deserves to be set aside. Learned counsel, however, submits that the petitioner is still willing and ready to appear, and surrender before the Trial Court. Hence, in the



aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court, and directions be given to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.
4. On the asking of the Court, Mr. Navdeep Singh, DAG, Punjab, accepts notice on behalf of the respondent-State.
5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with the following directions:

“The petitioner is to appear and surrender before the trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner. This is contingent upon the petitioner paying a cost of Rs.10,000/- to be deposited with the District Legal Services Authority concerned ”.

6. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the Trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

September 02, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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