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

CRM-M-43586-2024**Date of decision : 04.09.2024****Harpal Singh @ Babbu @ Jhabar****.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. J.K. Singla, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of impugned order dated 12.07.2024 (Annexure P-3) passed by learned Trial Court for cancellation of bail-bonds submitted by the petitioner and issued non-bailable warrants against the provisions of Cr.P.C. due to non-appearance of the petitioner in trial Court in case FIR No.34 dated 06.03.2021 under Sections 307, 427, 323, 34 IPC and under Sections 25 & 27 of Arms Act, registered at Police Station Bhikhi, District Mansa.

2. It has been contended by counsel for the petitioner that in the above said case the petitioner was on bail and was regularly appearing before the trial Court. However, on one date i.e. on 12.07.2024, he was engaged in getting treatment of his wife who being pregnant was in critical condition and due to this reason he remained absent from the Court and as a result thereof his bail order was cancelled and non-bailable warrants were issued against him. He submits that the petitioner has no



criminal antecedents and he is ready to join the proceedings and abide by the terms and conditions of bail.

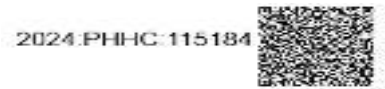
3. Notice of motion to official respondent only.

4. On asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted of the petitioner who remained absent on 12.07.2024 without any valid reason.

6. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent on one day i.e. on 12.07.2024 and his bail was cancelled and bail bonds were forfeited to the State and non-bailable warrants were issued. The reason for his absence has been given that he was engaged in getting treatment of his wife, who was in critical condition. The petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 12.07.2024 is *set aside* subject to payment of Rs.10,000/- as costs to be paid to the 'Punjab and Haryana High Court Bar Association' by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection



granted by this Court and order under challenge dated 12.07.2024 would come in force and the present petition shall be deemed to have been dismissed.

04.09.2024
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(RAJESH BHARDWAJ)
JUDGE

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