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

CRM-M-43303-2024

Date of decision: 04.09.2024

Ajay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Anuj Balian, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 528 of BNSS seeking quashing of order dated 31.07.2024 (Annexure P-1) passed by the Court of Learned Sessions Judge, Patiala whereby the bail order of the petitioner was cancelled and he was directed to be summoned through non bailable warrants of arrest on account of his absence before the said Court on the date fixed. The petitioner has also challenged the subsequent order Annexure P-3 passed by the trial Court.

2. Counsel for the petitioner submits that after grant of regular bail, the petitioner was regularly appearing in the trial Court but due to some unavoidable circumstances, he did not appear before the Court concerned on 31.07.2024 and consequently impugned order (Annexure P-1) was passed. It is further submitted that it was single default on the part of the petitioner and petitioner is willing to join the proceedings before the trial Court at the earliest to avoid any further delay in trial.



3. The State counsel on instructions from ASI Gurmeet Singh submits that on 31.07.2024, the petitioner got absented and consequently impugned order Annexure P-1 was passed by the trial Court in accordance with law, to procure the presence of petitionr.

4. I have considered the submissions made by counsel for the parties.

5. In light of the above, without expressing any opinion on the merits of the case and further in order to avoid any delay in trial, the petitioner is hereby directed to appear before the trial Court within next 10 days and on his doing so, the petitioner is directed to be released on regular bail to its own satisfaction by the said Court subject to cost of Rs.5000/- to be deposited by the petitioner with the District Legal Services Authority concerned. Needless to say that in future, the petitioner should be careful and remain present on each and every date of hearing before the trial Court.

04.09.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No