



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

CRM-M-44244-2024

Date of decision: 09.09.2024

Charanjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Bhupinder K. Bhangu, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 23.07.2024 (Annexure P-3) passed by the Court of Additional Sessions Judge-1, Kapurthala vide which the bail order of the petitioner was cancelled and he was directed to be summoned through non bailable warrants of arrest in a criminal case having FIR No. 0146 dated 05.12.2020, registered at Police Station Subhanpur, District Kapurthala, under Section 379-B of IPC (Section 411 IPC added later on), on account of his absence before the learned trial Court on the date fixed.

2. Counsel for the petitioner submits that earlier the petitioner was granted concession of anticipatory bail by this Court vide order dated 03.08.2021 (Annexure P-2) during the investigation of the case. It is further submitted that thereafter, the police presented challan and petitioner was regularly appearing before the trial Court on each and every date of hearing. However, on 23.07.2024, the petitioner due to some unavoidable circumstances, failed to turn up before the trial Court and resultantly,



impugned order was passed by the learned trial Court without issuing any notice to the petitioner. Counsel for the petitioner further submits that petitioner is ready and willing to join the proceedings before the trial Court in order to avoid any further delay in trial. It is further submitted that it was first default on the part of the petitioner and in future, the petitioner will remain careful.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and on instructions from ASI Sukhwinder Kumar submits that on 23.07.2024, the petitioner got absented and consequently, impugned order was passed by the learned trial Court in accordance with law.

5. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to join proceedings before the trial Court within next 10 days and on his doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction and subject to cost of Rs.5000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

6. Disposed of in aforesaid terms.

09.09.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No