

**140 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-44679-2024****Date of decision : 09.09.2024****Vishal Kumar****.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Kuldeep Singh Saini, Advocate for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of impugned order dated 14.03.2024 (Annexure P-3) vide which the bail orders/bail bonds/surety bonds of the petitioner has been cancelled in FIR No.16 dated 26.01.2019 under Section 392 IPC and Sections 25-54-59 of Arms Act, registered at Police Station City Ropar, District Ropar in the case/CIS/CS 62 of 2020 before Ld. Additional Sessions Judge, District Ropar.

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, petitioner wrongly noted his date of hearing as 14.06.2024 instead of 14.03.2024 and he remained absent on 14.03.2024 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 to the petitioner who remained absent on 14.03.2024 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 14.03.2024 and his bail was cancelled and bail bonds were forfeited to the State and non-bailable warrants were issued. The reason for his absence as stated by the petitioner is that he wrongly noted this date as 14.06.2024 instead of 14.03.2024. 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 14.03.2024 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 14.03.2024 would come in force and the present petition shall be deemed to have been dismissed.

09.09.2024

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(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No