

276 IN THE HIGH COURT OF PUNJAB AND HARYANA
 CHANDIGARH
 CRM-M-47552-2023 (O&M)
 Date of Decision: 14.03.2024

SUNNY

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Umesh Sharma, Advocate
 for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in the present petition filed under Section 482 of Cr.P.C. is for quashing of the order dated 04.08.2023 (Annexure P-6) whereby the bail order of the petitioner was cancelled, bail bonds and surety bonds were ordered to be forfeited to the State and his presence was sought to be secured through non-bailable warrants.

2. The following order was passed on 21.09.2023:

“Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of order dated 04.08.2023 (Annexure P-6) whereby the bail order of the petitioner was cancelled, bail bonds and surety bonds were ordered to be forfeited to the State and his presence is sought to be secured through non-bailable warrants.

Learned counsel for the petitioner inter alia submits that the petitioner had been granted the concession of interim bail vide order dated 31.03.2022 and the same was made absolute vide order dated 08.04.2022 (Annexure P-2). As per record, challan was presented on 28.10.2022 but the petitioner was never served. Absence of the petitioner is not intentional but for the reason mentioned above. He further submits that petitioner is ready to join the

proceedings once again.

Notice of motion returnable for 23.11.2023.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State.

In the meanwhile, petitioner is directed to surrender before the Trial Court within a period of 14 days from today and subject to his depositing Rs.10,000/- as costs with Poor Patient Welfare Fund, PGIMER, Chandigarh, (<https://pgimer.edu.in/>) he shall be admitted to interim bail to the satisfaction of the Trial Court.

To enable the petitioner to put in appearance before the Court below, his arrest pursuant to the impugned proceedings shall remain stayed till 06.10.2023.

Needless to observe that in case the petitioner fails to comply with the above said direction, the protection granted herein shall cease to exist.”

3. Learned counsel for the petitioner submits that in compliance of the aforementioned order, the petitioner has appeared before the learned Court below and he will continue to appear before the learned trial Court on each and every date of hearing.
4. In view of the above, the interim protection granted to the petitioner vide order dated 21.09.2023 is hereby made absolute and the impugned order dated 04.08.2023 (Annexure P-6) passed by learned Additional Sessions Judge, Amritsar is hereby quashed.
5. Present petition stands allowed.

14.03.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

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