



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

CRM-M-44693-2024
Date of decision: 10.09.2024

Sukhchain Singh @ Chainy @ Chaini ..Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Inderpreet Singh Kooner, Advocate
for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking setting aside of order dated 25.07.2024 Annexure P-3 passed by the Court of Sessions Judge, Patiala vide which the bail order of the petitioner was cancelled and he was directed to be summoned through nonailable warrants of arrest in criminal case having FIR No.165 dated 16.09.2022, under Sections 379-B, 323, 324, 341, 201 and 34 of IPC, registered at Police Station Pasiana, District Patiala.

2. Counsel for the petitioner inter alia submits that earlier the petitioner was granted regular bail by the Court concerned vide order dated 04.08.2023 Annexure P-1 and thereafter, the petitioner was regularly appearing before the learned trial Court but due to noting down of wrong date by the petitioner, he failed to appear in the trial Court on 25.07.2024 and resultantly, Annexure P-3 was passed by the said Court in a hasty manner, without taking into notice the fact that this was the single default



on the part of the petitioner. Counsel for the petitioner further submits that petitioner is ready to join the proceedings with the trial Court in order to avoid delay in trial.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and on instructions from ASI Gavinder Singh submits that the petitioner got absented in the trial on 25.07.2024 without any prior intimation to the trial Court and consequently, the trial Court proceeded against the petitioner in accordance with law and passed impugned order Annexure P-3. However, the State counsel has not disputed the fact that prior to that the petitioner was released on regular bail vide order Annexure P-1.

5. In light of the above, without expressing any opinion on the merits of the case, the present petition is hereby allowed, in the interest of justice 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.

10.09.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No